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No. 82

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. BERKLEY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 3, 2009.

I hereby appoint the Honorable SHELLEY BERKLEY to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God, source of eternal light, on this new day we offer not only our prayer but all the work of Congress as a living sacrifice of praise. Born of human effort, the fruit of experience and right judgment, pressed by negotiations and compromise, with the result of common concern for Your people, the decisions of this Congress are raised up before the people of this democracy to realize their best intuitions, inspire their hopes for the future, and foster their goodness.

At the same time, this work is raised up before You as the sovereign ruler of all times and nations and the compassionate defender of Your people, both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kentucky (Mr. DAVIS) come forward and lead the House in the Pledge of Allegiance.

Mr. DAVIS of Kentucky led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

INTRODUCING THE ARMED FORCES BEHAVIORAL HEALTH AWARENESS ACT AND THE VETERANS AND SURVIVORS BEHAVIORAL HEALTH AWARENESS ACT

(Ms. GIFFORDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GIFFORDS. Madam Speaker, a couple weeks ago our Nation celebrated Memorial Day, a day to give tribute to the men and women who have given their lives for our country. But I think it's important for those of us who serve in the Congress to realize that we, on a regular basis, have to do everything we can to protect and defend those who protect and defend us.

Later today I will be introducing the Armed Forces Behavioral Health Awareness Act as well as the Veterans and Survivors Behavioral Health Awareness Act with Congressman AKIN. These bills represent a strong bipartisan commitment to expanding and protecting access to mental health treatment and services for our active duty and retired military. These bills will provide all servicemembers with

equal access to readjustment counseling and mental health services at Vet Centers. We will provide dedicated funding for nonprofits supporting military families and create a program for proactive mental health outreach to soldiers. We will also provide a program for Vet Centers aimed at growing the number of mental health trainers as well as providers.

These bills will dramatically expand our ability to provide mental health coverage to our warriors who are doing so much for all of us both here at home and abroad.

I encourage my colleagues to join me in moving these bills toward swift passage.

TIANANMEN ANNIVERSARY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, 20 years ago today the brutal massacre of peaceful student demonstrators occurred in Tiananmen Square, Beijing, China, by the People's Liberation Army. Hundreds, perhaps thousands were shot, killed or wounded, including being run over by tanks. The extraordinary image of a man standing unarmed in front of a row of Chinese tanks has become one of the most famous photos of the 21st century and will forever be ingrained in our memories. That man represents thousands of others thirsting for freedom, thousands who were arrested and detained. Some of those are still in labor camps today.

This week we pause to remember the lives of those who were tragically lost in the massacre and imprisoned in the gulag. We honor their courage and their stand for freedom. China has made significant progress towards economic reform, but political reform is still needed to ensure the fundamental rights of the people, such as freedom of religion, expression and assembly.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H6079

The Chinese Government continues to intimidate reporters, block Web sites, jam broadcasts and censor the Internet. We look forward to a day when the people of China are truly free. That day will surely come.

INTRODUCTION OF CLEAN ENERGY PROMOTION ACT

(Mr. HEINRICH asked and was given permission to address the House for 1 minute.)

Mr. HEINRICH. Madam Speaker, I rise today to introduce the Clean Energy Promotion Act. This bill will help create thousands of clean energy jobs across America and help end our dependence on foreign oil. Today some 200 solar energy projects, 25 wind energy projects and 200 wind energy production test sites are on hold because the Bureau of Land Management doesn't have the resources to evaluate their applications. Madam Speaker, bureaucratic bottlenecks should not stand in the way of thousands of clean energy jobs. My bill will help eliminate these bottlenecks by creating a dedicated funding stream so that the BLM can remove the current backlog in applications and facilitate future projects. This is a long-term, common-sense investment in America's energy leadership. Not only will we jump-start clean energy job creation today, we'll also be laying the foundation for America's clean energy prosperity tomorrow.

I urge your support.

THE FEDERAL RESERVE PRINTS MONEY AS CHINA IS RELUCTANT TO LEND MORE

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Madam Speaker, we are running out of other people's money. We borrowed \$1 trillion from China, and their leaders are reluctant to lend more. In response, the Federal Reserve has begun electronically printing dollars to cover new debts. Chinese leaders told me that this was unconventional and troubling. They worry that America will try to repay her debts with newly printed dollars. The Fed so far this year has printed \$130 billion that it does not have. Rating agencies have already cut Britain's AAA credit rating and warned we are next.

Later this week I will ask the Fed to stop printing money to buy U.S. debt. Unless we stop, the enemy of the middle class and seniors—inflation—will come back to hurt our recovery.

THE D-DAY MEMORIAL IN BEDFORD, VIRGINIA

(Mr. PERRIELLO asked and was given permission to address the House for 1 minute.)

Mr. PERRIELLO. I rise in honor of the lives sacrificed by our brave men in

uniform on the beaches of Normandy 65 years ago. This Saturday, let us remember the morning of the 6th of June, 1944, and the bravery of those involved. In the town of Bedford, Virginia, 19 of the 34 servicemen who landed on the beaches gave their lives for freedom. Bedford suffered the largest per capita death toll of any American community during the invasion. These were the famous Bedford Boys, and we mourn the recent loss of the last of the survivors. Our Nation should not forget their sacrifices, which is why this Chamber recognized the D-day Memorial in Bedford as the National D-day Memorial. Sadly, that memorial faces financial difficulties in these grim economic times. Because of this and the sacrifice these men made, I am introducing legislation to ensure this memorial in the memory of the servicemen does not fade. The men we lost were local heroes, but the freedom and security bought with their sacrifice is a national treasure. So too is our D-day memorial, and I urge my colleagues to join me in making this a permanent part of our Nation's life.

THE NECESSITY FOR A BILATERAL INCIDENTS AT SEA AGREEMENT BETWEEN THE U.S. AND IRAN

(Mr. DAVIS of Kentucky asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Kentucky. Madam Speaker, as a former enlisted soldier and Army officer, the lives and safety of our servicemen and -women has always been one of my top priorities. Chairman CONYERS and I are, therefore, calling for the prompt negotiation of a bilateral naval agreement between the United States and Iran.

In January of 2008, Iranian Revolutionary Guards naval speedboats engaged in provocative actions against three U.S. naval vessels, showed little to no regard for maritime safety, and the event very nearly escalated into an armed conflict between the United States and Iranian vessels.

The Strait of Hormuz is one of the most crowded shipping lanes in the world. A conflict in the strait would have dire consequences for the world's oil supply and the international economy. An average of 15 tankers carrying between 16 and 17 million barrels of crude oil pass through the strait each day, making these waters one of the most strategically important oil choke points. The Department of Defense has stressed the importance of preventing future naval interactions in the region from escalating. The U.S. has a significant long-standing naval presence in the Persian Gulf, protecting our soldiers and marines in theater and international shipping lanes critical to global commerce. A military-to-military negotiation of bilateral "Incidents at Sea" agreement between the U.S. and Iran would codify vessel-to-vessel

communications and improve safety, similar to the agreement during the Cold War.

I ask you to join Chairman CONYERS and me in support of this agreement.

CALLING FOR A BILATERAL INCIDENTS AT SEA AGREEMENT

(Mr. CONYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONYERS. Madam Speaker, I, along with GEOFF DAVIS and others—BOB FILNER, GENE TAYLOR, WALTER JONES—are putting forward House Concurrent Resolution 94 so that we can avoid the incidents of the sea that could happen in the Straits of Hormuz because of the incredible number of commercial ships that traffic that area. Eight Navy ships, 250 oil tankers and naval craft of a dozen other nations pass through the strait. These negotiations have been done before. We did it with the Soviet Union a generation ago. It's very pragmatic. It avoids any incidents which could start a war, and could change our relationship with the oil cartels.

I urge Members to give it consideration.

RECOGNIZING RICK BARRENTINE

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Madam Speaker, I rise today to recognize Rick Barrentine, a talented constituent from my district, the Sixth Congressional District of Georgia. Rick Barrentine and his family will be in Washington this week as he joins a unique group of Americans, an elite circle whose artistic work is displayed upon a United States postage stamp.

On June 5, the U.S. Postal Service will unveil a new stamp; and on the face of this stamp is a photograph taken by Mr. Barrentine, showing a close-up view of an American flag draped upon itself. This same flag was displayed outside of his home until it was retired recently with the respect that it deserves. Though Mr. Barrentine didn't seek this honor, this recognition is a testament to his talents. Looking at this now timeless image, one can easily grasp Mr. Barrentine's appreciation for the sacrifice and dedication of all those individuals, including in his own family, who carried the Star-Spangled Banner in the service of our Nation.

This Congress commends him for his patriotism and for his artistic achievement. Freedom is inspiring.

CLEAN ENERGY JOBS

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, the Clean Energy Jobs plan, which recently

emerged from the House Energy and Commerce Committee, is the next step to create millions of American jobs in clean energy efficiency and modernizing a smart electric grid. Clean energy can provide an engine to drive the Nation out of recession and sustain our economy for years to come.

In my hometown of Louisville, Kentucky, we are already seeing the dividends from investments made in this country with the American Recovery and Reinvestment Act in the form of new green jobs. Earlier this week General Electric announced it would relocate production of a new energy-efficient water heater from China to Louisville's Appliance Park, which is the location of the Consumer Products Division of GE. Federal dollars allocated to the State energy fund from the American Recovery and Reinvestment Act and reserved for the manufacture of energy-efficient products are available to support this project and others like it.

The addition of 450 new green jobs in Louisville is a sign of the growth we had hoped would come from our major investment in the Nation's economic recovery and our commitment to moving this country toward energy independence.

□ 1015

A TRIBUTE TO JIMMY DEE CLARK

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Madam Speaker, I rise today to recognize a great American. Jimmy Clark has served this country and particularly the 19th District with distinction for 23 years. Starting off with former Congressman Larry Combest and now serving as my deputy chief of staff, Jimmy has served with great pride and excellence the people of this district. It is a large district. He has traveled many miles to represent and make sure that the constituents of the 19th District have the great service that they deserve.

Jimmy brings to the table a lot of experience. And over the 23 years, he helped put valuable input from his farming background into four farm bills, valuable input that helped shape what I think is good policy for this country.

We are going to miss Jimmy Clark. We are going to miss his service to the district. When people talk about Jimmy Clark, they talk about someone of great honor and character and someone who is always willing to help. We wish Jimmy and his lovely wife, Rita, all the best as they embark on a new journey in their life. All of us from the 19th Congressional District, and really the people of the United States of America, thank Jimmy Clark for his great service to his country.

H.R. 2648, AWARDING THE CONGRESSIONAL GOLD MEDAL TO MUHAMMAD ALI

(Mr. CARSON of Indiana asked and was given permission to address the House for 1 minute.)

Mr. CARSON of Indiana. Madam Speaker, yesterday, I introduced a bill that will award the Congressional Gold Medal to Muhammad Ali. Years ago many of my colleagues before my time watched Ali defeat Sonny Liston for the heavyweight title and saw him capture a gold medal at the 1960 Olympics.

His epic fights inspired a generation. But it was outside of the ring where Ali truly made his mark, fighting for civil rights and racial harmony and combating world hunger and disease. Under the shadow of 1960s discrimination, few could have imagined an African American and Muslim would transcend race, religion and culture to promote peace around the world. I believe that today, as so many around the world are struggling, it is more important than ever to pay tribute to those who selflessly devote their lives to others.

I encourage all of my colleagues to recognize a great humanitarian who remains a role model for generations to come. Join me please in supporting H.R. 2648.

AMERICANS DESERVE ENERGY INDEPENDENCE CREATED BY AMERICAN WORKERS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Madam Speaker, under the Democrats' national energy tax plan, American households will pay on average \$3,100 a year in extra energy costs, and between 1.8 and 7 million American jobs will be lost. The President admitted under his energy plan, energy prices would "necessarily skyrocket" and that the cost would be passed on to American consumers.

Manufacturing jobs will be relocated to other parts of the world, like India and China, which have less stringent environmental restrictions, hurting American workers and our environment.

Forcing through Congress an energy plan that raises energy prices and that leads to further job loss during a time of economic crisis is irresponsible and the wrong direction to take our country. The American people know that we can do better.

Republicans want a clean environment and will create comprehensive energy solutions that lessen our dependence on foreign oil and that lead us to a stronger economy.

The American people deserve American energy independence created by American workers.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

JOHN S. WILDER POST OFFICE BUILDING

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1817) to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1817

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JOHN S. WILDER POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, shall be known and designated as the "John S. Wilder Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "John S. Wilder Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Madam Speaker, I now yield myself such time as I may consume.

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the United States Postal Service, I am pleased to present H.R. 1817 for consideration. This legislation will designate the United States postal facility located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building."

Introduced by Representative Marsha Blackburn on March 31, 2009 and reported out of the Oversight Committee by unanimous consent on May 6, 2009, H.R. 1817 enjoys the support of the entire Tennessee delegation.

A longtime resident of Somerville, Tennessee, John Shelton Wilder admirably devoted over 40 years of his life to public service, including over 30 years as the Lieutenant Governor of the State of Tennessee.

Born on June 3, 1921 in Fayette County, John Wilder attended the University of Tennessee College of Agriculture and subsequently received his juris doctor at the Memphis State University Law School. A distinguished United States Army veteran of World War II, Mr. Wilder also served as a member of the Fayette County Quarterly Court, known also as the county commission, for 18 years.

In 1958, Mr. Wilder was first elected to the Tennessee State Senate as a Democrat representing senate district 26, which included Chester, Crockett, Fayette, Hardin, McNairy, and Wayne Counties. While he did not run for reelection in 1960, Mr. Wilder returned to the State senate in 1966.

Following the adoption of a State constitutional amendment that extended the length of terms in the State senate in Tennessee to 4 years, Mr. Wilder was elected to his first 4-year term in 1968 and was subsequently re-elected to nine consecutive terms until his retirement in March of 2008.

In 1971, Mr. Wilder's senate colleagues elected him speaker of the State senate, a position that under the State constitution also granted him the title of Lieutenant Governor. And notably Mr. Wilder became the first Tennessee Lieutenant Governor in almost 50 years to serve under a Governor of a different political party, Republican Winfield Dunn.

While the Tennessee General Assembly had not traditionally maintained its own staff or its own offices prior to Mr. Wilder's tenure, State senate Speaker Wilder undertook a variety of efforts to enhance the State legislature's standing, including the construction of General Assembly offices.

Mr. Wilder also made a unique mark by retaining the lieutenant governorship of Tennessee for over 30 years. Notably, the State had not previously seen an individual serve more than three consecutive terms as speaker of the State senate since 1870. In contrast to other elected officials in his position, Mr. Wilder never sought higher office. And he often stated that "the speaker likes being speaker." In fact, Mr. Wilder's service as Lieutenant Governor from 1971 until 2007 is regarded as one of the longest Lieutenant Governor tenures in United States history.

During his simultaneous service as Lieutenant Governor and as State senate speaker, Mr. Wilder was widely admired for his unrivaled and genuine commitment to bipartisanship. Mr. Wilder routinely awarded chairmanships to both Democratic and Republican members. And in 1987, Mr. Wilder, a Democrat, even earned the Republican Caucus's nomination for Lieutenant Governor.

Mr. Wilder's commitment to bipartisanship, for the benefit of the citizens of Tennessee, was further evidenced by his retirement announcement in March of 2008. In that address, Mr. Wilder encouraged his colleagues to "be statesmen, to do what is good and right for

this State of Tennessee and leave partisan politics out of it." Mr. Wilder further noted the destructive nature of partisan politics and emphasized that the success of the State of Tennessee greatly depended on legislators voting their conscience, absent the influence of partisan politics.

Madam Speaker, let us honor this dedicated public servant, John Shelton Wilder, through the passage of this legislation to designate the Somerville, Tennessee, post office in his honor. And I urge my colleagues to join me in supporting H.R. 1817.

I reserve the balance of my time.

Mr. ISSA. Madam Speaker, it is with great pleasure that I yield such time as she may consume to the gentlewoman from Tennessee, the author of the bill, MARSHA BLACKBURN.

Mrs. BLACKBURN. Madam Speaker, I want to thank my colleague from Massachusetts for his wonderful words about Governor Wilder. I will tell you, though, we probably are having Governor Wilder and some of his friends listening in Somerville, Tennessee, today who are saying, we need an interpreter on that one so that they can understand that wonderful New England accent to our Southern ears. Thank you so much for those gracious words.

It is indeed an honor to stand and to recognize Governor Wilder. And as the gentleman from Massachusetts said, today is his birthday. He is 88 years old today, so it is wonderful that we are having this resolution come forward today and that we are able to designate the post office in Somerville, Tennessee, for this dedicated public servant.

He chose to be a Democrat, but he legislated from the center. And it is so amazing when you look at his career and all that he accomplished, because, Madam Speaker, he chose to build a bipartisan conservative governing coalition. And he really took a great amount of pride in the fact that he established that for the State of Tennessee. Indeed, when you look at the fact that the legislature in the State of Tennessee is a coequal branch with the executive branch, you see Governor Wilder's handprints on this.

Those of us who had the opportunity to serve in the State senate and serve with Governor Wilder did have the opportunity to participate in the way he addressed that coalition. He really is the embodiment of "public service." And as has been stated, he served under the leadership of both parties.

He served as Lieutenant Governor when our now senior Senator, Senator ALEXANDER, was Governor. Lieutenant Governor Wilder was indeed the Lieutenant Governor under his time of service. And indeed Governor Wilder is the one who granted Governor Alexander an extra 3 days on his term when Governor Wilder moved forward with what he called "impeachment Tennessee style" for the incumbent Governor who was in place prior to Senator

ALEXANDER taking the reins as Governor of our State.

Indeed, Lieutenant Governor Wilder served as Lieutenant Governor when my predecessor in the Seventh Congressional District seat, former Congressman and former Governor Don Sundquist, was in office. So Lieutenant Governor Wilder has a storied career. I also have the opportunity to serve as his Member of Congress now. And when he was in the State senate and speaker of the senate and Lieutenant Governor, I shared the representation of many of those west Tennessee counties with Governor Wilder.

So he has truly had such an incredible career in public service that it is an honor for me to be able to stand here and to recognize him and to make certain that we in this body pay tribute to him by naming that post office for him there in Somerville, Tennessee. I know some of my colleagues have come to the floor to speak on this resolution. And, Madam Speaker, as we all know, in the State of Tennessee, anyone who serves in public office has sought the advice of John Wilder. So whether you served with him in the State senate or not, everyone went to him for advice and counsel as to how they would carry forth their public duties and how they would serve in the State of Tennessee.

So I thank the gentleman from California for yielding. I thank the gentleman from Massachusetts for his very kind words. And I thank my colleagues for joining me on my bill, H.R. 1817, to appropriately honor and recognize our former Lieutenant Governor.

I rise today to pay tribute to John S. Wilder, former Lieutenant Governor of Tennessee, and to express my support of H.R. 1817, legislation to have a Postal Service office building in Somerville, Tennessee named the "John S. Wilder Post Office Building."

Mr. Wilder commendably served the state of Tennessee for just shy of fifty years, in part as a member of the Tennessee Senate and as Lieutenant Governor of Tennessee. He served as Lieutenant Governor of Tennessee and Speaker of the Tennessee Senate from 1971 to 2007, becoming both the longest serving Lieutenant Governor and the longest serving head of a legislative body in United States history. For his extraordinary life achievements, I today honor a man who through example has exhibited devotion to his community and to the state of Tennessee.

Today, June third, Mr. Wilder celebrates his eighty-eighth birthday. The first born son of Martha and John Wilder, John Shelton Wilder grew up in Fayette County. He enlisted in the army and served our country during World War II. After the war, he attended the University of Tennessee School of Agriculture, and then enrolled in Memphis State University, now the University of Memphis, from where he obtained a degree in law.

Mr. Wilder was first elected to the Tennessee Senate in 1959. In January 1971, the Tennessee Senate elected Mr. Wilder to be the Speaker of the State Senate, which also made him Tennessee's Lieutenant Governor. During his tenure in the Tennessee Senate, Mr. Wilder was noted for his exceptional leadership skills and his ability to cross party lines

in garnering the support of both Republicans and Democrats. His reputation with both parties enabled him to be continuously re-elected Lieutenant Governor every four years from 1971 until 2007.

Moreover, he served as a state senator until 2007 concluding his remarkable career in public service.

Mr. Wilder has been a member of many commissions, association and committees, including the Southern Legislative Conference Executive Committee, the Tennessee Judicial Council, Tennessee Industrial and Agricultural Development Commission, and the National Conference of State Legislatures Legislative Leaders. In addition to his legislative work, he has an active business career as director of Health Management and Cumberland Savings Bank, chairman of the board of Cumberland Bank Shares and First Federal Bank FSI Holding Company, and he continues to participate in the management of Longtown Supply Company, a family owned cotton business founded in 1887. Additionally, he has worked as an attorney in the town of Somerville.

Mr. Wilder has been an extraordinary public servant for nearly fifty years. With gratitude for his service to the state of Tennessee, I ask all members to join me in support of H.R. 1817.

Mr. LYNCH. Madam Speaker, at this time, I would like to yield 5 minutes to the gentleman from the Ninth District of Tennessee (Mr. COHEN).

□ 1030

Mr. COHEN. Madam Speaker, I want to thank the Speaker, and Mr. LYNCH and Congressperson BLACKBURN for bringing this to the floor and for extending the time.

I particularly want to thank Congresswoman BLACKBURN for initiating this concept because John Wilder deserves recognition, and he deserves recognition by having this post office named for him. We name post offices quite frequently for people, people that deserve it. But John Wilder put Fayette County on the map. And when you put a county on the map, the post office in those small counties is the place where the county is. That's where mileage is measured from and people congregate and political gatherings occur and all that.

John Wilder was my friend, is my friend, and has had an unbelievable contribution to the people of Tennessee. I know it's been discussed how many years he served as Lieutenant Governor, longest-serving elected official in the free world of a legislative body, and how much he accomplished.

I served in the Tennessee State Senate with John Wilder for 24 years. I think one of his most significant moments came before I knew him, at a time when there was segregation in the South and there were efforts to penalize black farmers in Fayette County, an instance that John Wilder refers to it, and many people do who remember it, as Tent City.

And there were attempts to take advantage of the sharecroppers and to force them in certain ways, and John Wilder didn't go along with the establishment and he stood up for civil

rights, and he stood with the black farmers in Fayette County, the African American tenant farmers, and refused to punish those black tenant farmers by evicting them or calling in their crop loans. That's a moment that John Wilder refers to when he speaks, and I believe, for those who are people of conscience, people in the civil rights movement throughout the Midsouth remember John Wilder for that principled stand. It was a stand by which men were known.

One of the other things that John Wilder did that is most significant is he instituted a system in Tennessee where our judges were taken out of the political spectrum to the extent possible and put into a selection system. The Wilder plan, which survived an attempt to eliminate it in this general assembly, has served Tennessee well, provides that appellate judges are selected, not elected but selected, and that that meets the provisions of our State constitution and allows for judges who are not well known by the public to be chosen by a merit process. They have to stand for approval elections at the public ballot, the general election, but they are chosen not initially in contests where people have to go raise money and campaign on name recognition, but are selected based on their qualifications as submitted through a panel and chosen by the Governor from a list of three and then stand for reelection. And I think all but one of those people have been approved by the electorate and maintained. So his stand for civil rights and his stand for meritocracy in the judiciary are the two things I think John Wilder has done that are most, most admirable of the many.

He also set up a Board of Education for the State to help K-12 and to put some common sense into the education processes in our State. No things are more important than civil rights, education, and a fair and impartial judiciary, and John Wilder stood for all of those.

He's been a lawyer and respected in the courtroom. He's a farmer. He's a banker. He has interests in just about any business that's important to west Tennessee, and anything that got done in west Tennessee, rural west, and Memphis included, John Wilder had a stamp on it.

There's a tower at the University of Memphis known as the John Wilder Tower because he was most instrumental in securing funds for the University of Memphis, which is the great State university in west Tennessee.

John Wilder helped me in my career, appointed me chairman of the State and Local Government Committee, for which I served, I think it was, 12 years in that body. And although there were times when he was not as enthusiastic about the Tennessee education lottery as I was, at the end, there were 22 votes on the board in the Tennessee Senate to provide, give the people the right to vote on a lottery provision that had

been banned in our constitution since the early 1800s, and that vote, with those essential 22 votes, every one was necessary, Governor John Wilder was one, Congresswoman MARSHA BLACKBURN was another, Congressman LINCOLN DAVIS was another, led to students in Tennessee having the opportunity to go to school.

I thank John Wilder. I thank Congresswoman BLACKBURN for bringing this, and I'm proud to be a cosponsor of the John Wilder Post Office.

Mr. ISSA. Madam Speaker, at this time it is my pleasure to introduce yet another friend of the former Lieutenant Governor, JIMMY DUNCAN, a member of the committee and a fellow Tennessean. I yield him such time as he may consume.

Mr. DUNCAN. Madam Speaker, I thank the gentleman from California for yielding me this time, and I want to express my appreciation also to my colleague from Tennessee, Congresswoman BLACKBURN for bringing this legislation to the floor, very appropriate legislation.

I have come here to express my great admiration and respect for Governor Wilder, in addition to the very kind things that my colleagues, the gentleman from the 9th District, Congressman COHEN, has said, and also what Congresswoman BLACKBURN has said.

The hills and mountains and valleys of east Tennessee are very, very different from the flat lands of west Tennessee, but we're all Tennesseans. And even though my district in east Tennessee is very far from Governor Wilder's district in west Tennessee, still, I have known of his work for our State for many years now, and I have great respect for that.

I also have seen him in action each year for many, many years, hosting the annual legislative luncheon at the University of Tennessee. And Governor Wilder did so much for the University of Tennessee, his alma mater and my alma mater.

I read a few years ago that less than 20 percent of the people in the State legislative bodies around the country have served, that less than 20 percent have served more than 12 years. And so turnover in legislative bodies is at a higher rate or level than any time in our history, contrary to what some people think. So anyone who serves in office for such a long number of years as Governor Wilder has really accomplished something that very few people have done in our history. And you don't serve in office for as long as he did without helping thousands and thousands of people and doing many, many good things, both for individual citizens and for the State as a whole.

And so I just wanted to come here briefly. I did not have the privilege of serving in the State senate, as Congressman COHEN and Congresswoman BLACKBURN did. I never served with Governor Wilder, but I certainly met with him many times and saw him at different inaugurations and at various

events in Nashville and in my hometown of Knoxville. And so I appreciate Governor Wilder, and I admire and respect him, as I said earlier.

And I thank the gentlelady from Tennessee for bringing this legislation to the floor.

Mr. LYNCH. Madam Speaker, I don't believe we have any further speakers at this time, but I will continue to reserve our time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is with great pleasure that I join with the other Members, primarily of the Tennessee delegation, who so aptly are wishing a happy birthday to the Governor today on his 88th birthday. And I do support strongly the naming of this post office after a public servant of such a unique character and longevity of service.

And now that we have dispensed with this portion, the suspension, the non-controversial part, as is the tradition of this committee, sometimes we make a point of other things on this allocated time. And today I believe that it's appropriate to speak about the impending, before August, cap-and-tax scheme that has been proposed by the Speaker and is likely to come to a vote.

We on this side of the aisle are deeply concerned about a system which is designed to raise the cost of all utilities in America, with no offset, no offset, for the ultimate CO₂ that is likely to be created by moving those jobs overseas. It's very clear that cap-and-tax, if not uniform and enforced, would simply move American jobs overseas. And the bill, which is being considered by the Global Warming, otherwise sometimes called the Junket Committee here, is in fact something that I oppose, and I oppose because it is very clear that we cannot, in this body, simply make a decision that we're going to stop producing a certain amount of CO₂ in the United States. And this, I might mention, while Air Force One consumes an incredible amount of CO₂ or produces an incredible amount of CO₂ while flying empty over New York City.

The world and the air around us is not isolated. If we go forward with a cap-and-trade initiative that is not globally enforced by every single nation, we simply are pollution laundering. We're saying we're going to have cleaner cars here, we're going to have cleaner this here, and yet CO₂ will be produced in other places. Already it is very clear that China, for every single product it produces, is more energy intensive than the same product produced in the United States. Literally, when you import the same product from China that would otherwise be made here, although it may be cheaper, it produces more CO₂ and a great many other pollutants.

I've been to China. I've been to Hanoi. I have been to many of these countries, and what I generally see are leaves blackened from the burning of

coal, with not even scrubbers, much less any sequestration.

So, Madam Speaker, as we do not disagree one bit on the naming of this post office, this side of the aisle has to make it very clear that we do object to the present form that is being proposed without any real inclusion of Republicans and with the American jobs at stake.

And with that, I would yield back the balance of my time.

Mr. LYNCH. Madam Speaker, I do want to bring this discussion back to the point at hand and this bill that seeks to honor Governor Wilder. And I would hope that, in taking the moment to dedicate this post office—and I chair this committee, and we do name a lot of post offices here. As a matter of fact, I think sometimes we'll run out of names before we run out of post offices. But I do think that this is one that is so well deserved because of the wonderful career of bipartisanship, and it disappoints me greatly that people would take away the focus of this dedication to harp on a bunch of hot air about some other issues that are going to have plenty of time to be debated.

This is a moment that we have to honor this gentleman, Governor Wilder, for his wonderful accomplishment, and in all the testimony here given this morning by his closest friends and his strongest advocates, he is one of the most bipartisan leaders that we have had in this country, and he has held that position as Lieutenant Governor for over 30 years. So I want to make sure that he gets the recognition that he deserves.

I want to congratulate Mrs. BLACKBURN for being the lead sponsor of this, and Mr. COHEN and all of the House Members, both Republican and Democrat, on behalf of the Tennessee delegation for the wonderful work that they've done.

And I ask all of my colleagues to join with us in giving due honor to Governor Wilder by naming this post office in Somerville, Tennessee, in his name.

Mr. TANNER. Madam Speaker, I rise in support of this resolution, which honors a long-time leader in our state, whose career has been distinguished and historic.

John Shelton Wilder was first elected to the Tennessee State Senate in 1958, and, in 1971, was chosen by his Senate colleagues to serve as Senate Speaker and Lt. Governor. He served in these capacities until 2006, making him the longest-serving leader of a state legislative body anywhere in this country. Because of his trademark bipartisanship and his insistence in wanting "the Senate to be the Senate," the Tennessee State Senate accomplished many things under Lt. Governor Wilder's leadership.

I had the honor of serving alongside Lt. Governor Wilder in the General Assembly when I served in the Tennessee House of Representatives. During my time in this body, I have been honored to represent some of the same counties that Lt. Governor Wilder represented in the Tennessee Senate. I know firsthand how dedicated he has always been to serving the public and helping families in West Tennessee and across our state.

Madam Speaker, I hope you and our colleagues will join us in supporting this resolution to honor Lt. Gov. John S. Wilder—known to many of us in Tennessee simply as "Governor Wilder"—for his long public service.

Mr. LYNCH. I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 1817.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further Proceedings on this motion will be postponed.

□ 1045

FREDERIC REMINGTON POST OFFICE BUILDING

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2090) to designate the facility of the United States Postal Service located at 431 State Street in Ogdensburg, New York, as the "Frederic Remington Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FREDERIC REMINGTON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 431 State Street in Ogdensburg, New York, shall be known and designated as the "Frederic Remington Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Frederic Remington Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. I yield myself such time as I may consume.

Madam Speaker, I am pleased to present H.R. 2090 for consideration. This legislation will designate the United States postal facility located at

431 State Street in Ogdensburg, New York, as the Frederic Remington Post Office Building introduced on April 23, 2009, by the Republican vice chair of my subcommittee—and the recently nominated Secretary of Army—Mr. McHUGH of New York. H.R. 2090 was reported out of the Oversight Committee by unanimous consent on May 6, 2009. I'm also pleased to report that this legislation enjoys strong support from the New York House delegation.

A long-time resident of the City of Ogdensburg in St. Lawrence County, New York, Frederic Remington was a renowned 19th century painter, illustrator, sculptor and writer who specialized—and I think in many people's minds really captured the essence and legend of the American West.

Born on October 4, 1861, in Canton, New York, Frederic Sackrider Remington moved to Ogdensburg, New York, in 1873 and attended the Yale College School of Art before soon heeding the call to go west.

Remington's early travels through America's new frontier in the late 1800s provided him with the unique opportunity to observe scenes that he had imagined since his childhood and gained an authentic view on America's west that would later translate into his unparalleled and inspirational depictions of frontier life.

Harper's Weekly published Remington's first commercial illustration in 1882 and Remington soon began to receive a steady flow of commissioned work from additional publications, including Collier's, that were searching for authenticity in Western themes. Remington's first full cover appeared in Harper's in 1886 when he was only 25 years old. And in 1887, Remington received a highly regarded commission for 83 illustrations for a book by Theodore Roosevelt entitled "Ranch Life and the Hunting Trail." This latter assignment provided a significant boost to Remington's career and marked the beginning of a lifelong bond between the artist and Roosevelt.

Despite his success as a magazine and book illustrator, Remington was focused on further developing his artistic abilities; and in the mid-1880s and 1890s, he turned his attention to water and full-color oil painting as well as sculpture. In order to retain the authenticity of his work, Remington embarked on annual trips to the West and even created a Western environment in his New York studio by surrounding himself with objects collected from his various travels.

In noted paintings, such as the "Return of the Blackfoot War Party" and "Mule Train Crossing the Sierras," and "A Dash For the Timber," Remington continued to evidence a unique ability to handle complex compositions and realistically capture the sweeping landscapes, heroic figures and moments of danger and conflicts which came to epitomize the American West. In 1888, Remington even achieved the honor of having two of his paintings used for re-

production on United States postal stamps.

In the mid-1890s, Remington quickly mastered a new medium and became immersed in sculpture. Similar to his previous illustrations and paintings, well-known Remington bronzes such as "The Broncho Buster" and "The Cheyenne" were highly regarded for their detail, movement, energy, and overall realism. Notably, Remington's piece "The Broncho Buster," was presented to Theodore Roosevelt following the Rough Riders' return from the Spanish-American War, an honor that Remington deemed the "greatest compliment I ever had."

Regrettably, Frederic Remington died on December 26, 1909, at the young age of 48 and at the height of his profession. Nevertheless, he was able to produce over 3,000 drawings and paintings, 22 bronze sculptures, over 100 articles and stories, and even a novel and a Broadway play over the course of a career that inspired the American imagination and immortalized the Western experience.

Madam Speaker, let us honor the great 19th century artist, Mr. Frederic Remington, through the passage of this legislation to designate the Ogdensburg post office in his honor. I urge my colleagues to join me in supporting H.R. 2090.

I reserve the balance of our time.

Mr. ISSA. Madam Speaker, at this time due to the entry of the Ronald Reagan statue here in Statuary Hall, I ask unanimous consent that the gentleman from Ohio (Mr. JORDAN) be able to control my time.

The SPEAKER pro tempore. Without objection, the Chair recognizes the gentleman from Ohio.

There was no objection.

Mr. JORDAN of Ohio. Madam Speaker, I yield myself such time as I may consume.

The pretty long speech here that was put together by staff on Mr. McHUGH's post office renaming, and some of it will be, I think, redundant from Mr. LYNCH's comments, but I think it's important that we do give the proper respect to the Frederic Remington Post Office Building.

I rise in support of H.R. 2090, a bill designating the postal facility located at 431 State Street in Ogdensburg, New York, as the Frederic Remington Post Office Building in honor of the renowned 19th century sculptor, painter, author and illustrator.

Frederic Remington was born in Canton, New York, in 1861 and moved to Ogdensburg, New York, in 1873. He headed west to the Montana territory and is best known for his depictions of frontier life of the American West, including cowboys taming broncos, cavalry soldiers engaged in battle, and Native American warriors and scouts. He began his career as a magazine illustrator upon his return east, when he sold his first sketches to Harper's Weekly.

In the mid-1880s, Remington moved from illustration to water color and oil

painting; and in 1895, he began sculpting in bronze. He ultimately produced nearly 3,000 drawings and paintings, 22 sculptures, and eight volumes of writings throughout his career. Frederic Remington died on December 26, 1909, thus making 2009 the 100th anniversary of his death. Unfortunately, he was only 48 years old and died at the height of his popularity.

In 1961, the U.S. Postal Service issued a postal stamp to commemorate the 100th anniversary of Frederic Remington's birth. The stamp featured an oil painting drawn by Remington in 1905 entitled "Smoke Signal." Over 111 million Remington stamps were issued by the postal service.

Remington's works can be found throughout the Nation in some of America's highly regarded museums, including the Art Institute of Chicago, the Metropolitan Museum of Art, and many others. In fact, "The Broncho Buster," the stirring Remington sculpture to this day remains in a prominent location within the Oval Office at the White House.

Today a comprehensive collection of original Remington paintings, sketches and sculptures are housed at the Frederic Remington Art Museum founded in 1923 and located in Ogdensburg, New York.

Frederic Remington was one of northern New York's most famous residents, and his home town of Ogdensburg is one of the most historic destinations. Located along the St. Lawrence River, Ogdensburg was the site of key battles during the French and Indian War as well as the War of 1812. In fact, the city was captured by British forces during the famed Battle of Ogdensburg in the War of 1812.

Ogdensburg was also the site of the appropriately titled Ogdensburg Agreement of 1940. This was a joint defense pact between the Canadian Prime Minister and President Franklin Roosevelt.

Ogdensburg's post office is also of historic significance and was listed in the National Historic Register in 1977. The building serves as the oldest active post office in New York and among the oldest in the United States. It was constructed between 1867 and 1870; and in August of 1872, President Grant visited the building for a public reception. It is also very likely Frederic Remington himself would have sent some of his correspondence from the very post office that will be dedicated in his name.

I rise today to ask my colleagues to join me in support of this legislation to designate the Ogdensburg, New York, post office as the Frederic Remington Post Office Building.

I reserve the balance of my time

Mr. LYNCH. Madam Speaker, we have no further speakers at this moment. I continue to reserve.

Mr. JORDAN of Ohio. I would yield as much time as she may consume to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague for yielding.

Madam Speaker, I want to commend my colleague, Mr. MCHUGH, for introducing this legislation to honor Frederic Remington. I'm sure it is a very well-deserved honor, and I'm glad that we have the opportunity to do it here today.

However, there is a really critical issue facing our country these days, and it is the cap-and-tax plan that the Democrats are doing their best to get passed in the House of Representatives. We know that the Commerce and Energy Committee voted it out the night we left for our district work period for Memorial Day. But we also know that it is not good legislation for this country.

The truth behind the Democrats' cap-and-tax plan is that it is a national energy tax which will kill jobs, raise taxes, and lead to more government intrusion in our lives. This is an irresponsible proposal that will do more harm than good. The President's energy plan is a \$646 billion national energy tax that will hit every American family, small business and family farm. Family energy costs will rise on average by more than \$3,100 a year. Those hardest hit by this massive tax will be the poor, who experts agree spend a greater proportion of their income on energy consumption. So much for the President's promise to cut taxes for everybody who makes less than \$200,000 a year.

A devastating consequence will be fewer jobs for hardworking Americans. Various studies suggest anywhere from 1.8 million to 7 million jobs could be lost.

Republicans believe there are better solutions than more taxes, fewer jobs, and more government intrusion. House Republicans want to increase American energy production made by American workers, encourage greater efficiency and conservation, and promote the use of clean alternative fuels. House Republicans offer a plan that is more environmentally friendly than the Democratic plan. The Democrat cap-and-tax plan will relocate manufacturing plants overseas in countries with far less stringent environmental regulations.

Furthermore, the GOP plan will include nuclear energy which does not emit carbon. We find it very interesting that we know very well that the French, who have gotten 80 percent of their electricity from nuclear power, have no problem with their nuclear waste because they recycle everything and wind up with very, very small amounts of waste and yet the Democrats deny this opportunity to create electricity from nuclear power.

We think the American public needs to be made aware of this issue, and we're going to do everything we can to educate the public on the disastrous way that the Democrats are taking this country in terms of cap-and-tax.

Mr. LYNCH. Madam Speaker, I continue to reserve.

Mr. JORDAN of Ohio. Madam Speaker, before I yield back my time, I would

just say that I think the gentlelady from North Carolina makes an outstanding point. This cap-and-trade/cap-and-tax concept, all you've got to do is look at the Heritage Foundation study, which rank-orders all 435 Congressional districts in this country who would be most negatively impacted, who would lose jobs because of this proposal. And it hits home because nine of the top 10 most affected districts are in Ohio and Indiana. I happen to represent one of those districts in Ohio. We'd be fourth hardest hit in the country. It doesn't take a genius to figure out if you are heavy into manufacturing, as we are, and frankly, rely on coal, from coal-fired plants on the Ohio River to provide your electricity needs, you're going to get hit hard. This is a terrible move for our country, but it will have disproportionately negative impacts on the Midwest. That's why we should defeat this proposal.

With that, I would yield back the balance of our time.

Mr. LYNCH. Madam Speaker, again, I would like to bring the discussion back to the matter at hand which is the dedication of this post office in Ogdensburg, New York, in memory of Frederic Remington.

I think it's especially notable that people would take away from the honor that's trying to be bestowed here by a Republican colleague and, you know, a nominee for Secretary of the Army. Mr. MCHUGH asked that we take a moment and designate this post office in memory of one of New York's most renowned citizens and someone who has provided great service to this country in his artistic work in capturing an era of our country that is enormously important to all of us.

And I know a lot of people out there must be very confused. What does the French use of nuclear power have to do with the post office being named on behalf of Frederic Remington? And there is no connection.

□ 1100

There is no connection. There is a denigration going on here, a discourtesy, I think, to Mr. MCHUGH, a discourtesy to the people of New York by the Republican Party, and taking this moment of recognition away from Mr. Remington and his memory, away from Mr. MCHUGH and the object of his legislation, to spout on about issues that can be spouted on about at different times and more appropriate times. We do not have to have either discussion of one issue at the cost of reducing the respect and courtesy that are due to Members and particular initiatives that they put forward that they deem important to their districts and to the people that they represent.

I will not do that. I will not go on about cap-and-trade. I will wait for the debate on cap-and-trade. I will not go on about whether I think the French are doing the right thing with nuclear power and the disposal of their waste. I'll wait on that. There will be appropriate times to discuss that.

What we're here about today in this bill is recognizing Frederic Remington for what he provided for in this country in his brief time on this Earth and in a way that is consistent with the wishes of the sponsor of this legislation, the Republican gentleman from New York (Mr. MCHUGH) who deserves our respect.

And with that, I urge all my Members to join with Congressman MCHUGH, the nominee for the Secretary of the Army, a good choice in my opinion, and support this measure unanimously.

Mr. MCHUGH. Madam Speaker, I rise today as the proud sponsor of H.R. 2090, which would designate the Ogdensburg, New York post office in honor of renowned 19th-century American sculptor, painter, author and illustrator Frederic Remington. I want to thank the Gentleman from New York (Mr. TOWNS) and the Gentleman from California (Mr. ISSA) for their work to bring this legislation to the floor today. I also want to thank the members of the New York delegation for cosponsoring this measure along with Representative CHAFFETZ, Ranking Member of the House Subcommittee on Federal Workforce, Postal Service, and the District of Columbia.

Frederic Remington was born in Canton, New York, in 1861 and moved to Ogdensburg, New York in 1873. Best known for his depictions of frontier life of the American West, including cowboys taming broncos, cavalry soldiers engaged in battle, and Native American warriors and scouts, Remington first headed west to the Montana Territory in 1881. Upon his return east, he sold his first sketches to Harper's Weekly, thus beginning his career as a magazine illustrator.

In the mid 1880s, Remington moved from illustration to water-color and oil painting, and in 1895 began sculpting in bronze. He ultimately produced nearly 3,000 drawings and paintings, 22 sculptures, and eight volumes of writings throughout his career. Frederic Remington died on December 26, 1909, thus making 2009 the 100th anniversary of his death. Unfortunately, he was only 48 years old and died at the height of his popularity.

In 1961 the U.S. Postal Service issued a stamp to commemorate the 100th anniversary of Frederic Remington's birth. The stamp featured an oil painting drawn by Remington in 1905 entitled "Smoke Signal." Over 111 million Remington stamps were issued by the Postal Service.

Remington's works can be found throughout the nation, in some of America's most highly regarded museums, including the Art Institute in Chicago, the Metropolitan Museum of Art, and many others. Indeed, President Obama has kept "The Bronco Buster," the stirring Remington sculpture, in a prominent location within the Oval Office at the White House.

Today, a comprehensive collection of original Remington paintings, sketches and sculptures are housed at the Frederic Remington Art Museum, founded in 1923, and located in Ogdensburg, New York. The Remington Museum is open year-round, and offers many programs for the public, including school tours, gallery talks, exhibit openings and workshops. Since the Museum's founding, purchases and donations of Remington art and personal artifacts have added significantly to the breadth of

this amazing collection. The Remington Museum's importance to the residents of my Congressional District can be attributed to both its cultural and historical significance, as well as its economic impact on the surrounding community.

Frederic Remington was, indeed, one of Northern New York's most famous residents and it is fitting we honor his artistic contributions to the world. It is also fitting that Ogdensburg, one of America's most historic destinations, be the home of such an equally historic figure. Located along the strategic St. Lawrence River, Ogdensburg was the site of key battles during the French and Indian War as well the War of 1812. In fact, the city was captured by British forces during the famed Battle of Ogdensburg in the War of 1812. Ogdensburg was also the site of the appropriately titled Ogdensburg Agreement of 1940. This was a joint defense pact signed between Canadian Prime Minister Mackenzie King and President Franklin Roosevelt.

It is also fitting that such a storied city has a duly historic post office. In fact, the Ogdensburg Post Office was listed in the National Historic Register in 1977. The building serves as the oldest active post office in New York State and among the oldest in the United States. It was constructed between 1867 and 1870, and is truly a building befitting of this honor. Of note, on August 7, 1872, President Ulysses S. Grant visited the building for a public reception. It is also very likely Frederic Remington himself would have sent some of his correspondence from the very post office that will be dedicated in his name.

Accordingly, I ask my colleagues to support this legislation to designate the Ogdensburg, New York Post Office as the Frederic Remington Post Office Building.

Mr. LYNCH. I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2090.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CARL B. SMITH POST OFFICE

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2173) to designate the facility of the United States Postal Service located at 1009 Crystal Road in Island Falls, Maine, as the "Carl B. Smith Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CARL B. SMITH POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1009 Crystal Road in Island Falls, Maine, shall be known and designated as the "Carl B. Smith Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to

be a reference to the "Carl B. Smith Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Arizona (Mr. FLAKE) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I am pleased to present H.R. 2173 for consideration. This legislation will designate the United States postal facility located at 1009 Crystal Roads in Island Falls, Maine, as the "Carl B. Smith Post Office."

This bill, introduced by my colleague and friend, Representative MIKE MICHAUD of Maine, on April 29, 2009, was reported out of the Oversight Committee by unanimous consent on May 6, 2009, and enjoys the support of both members of Maine's House delegation.

A lifelong resident of the town of Island Falls, Maine, Carl B. Smith dedicated over half of his life to public service and local and State government, the United States military, and the United States Postal Service.

Born on March 30, 1922, Carl B. Smith graduated from Sherman High School in 1940 and 2 years later joined the United States Army Corps. Representative Smith's subsequent 10-year tenure in the United States Army included service in Europe during World War II, as well as service in Japan and Korea during the Korean conflict. He would go on to become a lifelong member of the Veterans of Foreign Wars Post 7529 out of Island Falls as well.

Following his discharge from the service, Representative Smith attended barber school and proceeded to serve his beloved community of Island Falls as a barber for 30 years. In addition, he also worked as a rural letter carrier with the United States Postal Service and, of course, was a proud member of the Maine Rural Letter Carriers Union. Representative Smith would subsequently embark on a distinguished career in local and State government.

First, he served as the town clerk of Island Falls for 13 years and later served on the Island Falls Board of Selectmen.

In 1980, Mr. Smith was elected to the Maine State Legislature as the representative serving house district 140, which includes Island Falls, Ludlow, Oakfield, Sherman, and other areas. His admirable career in the Maine House of Representatives would span 10 years, during which time he was a

member of the State's Joint Standing Committee on Inland Fisheries and Wildlife, Agriculture, and State and Local Government.

Throughout his tenure in the Maine State House, Mr. Smith was widely noted for his efforts on behalf of environmental causes, as well as his devotion to social issues such as poverty, health, and aging.

In 1987, Mr. Smith received statewide recognition when he was selected by House Speaker John L. Martin to serve on the Maine Commission on Outdoor Recreation. Upon announcing Representative Smith's appointment to the commission, Speaker Martin described Smith as an "extremely hard-working legislator who has devoted a great amount of time and energy to environmental issues."

Regrettably, Carl B. Smith passed away on October 4, 2000, at the age of 78.

Madam Speaker, let us honor this dedicated public servant through the passage of this legislation to designate the Island Falls post office in Carl B. Smith's honor.

I urge my colleagues to join me in supporting H.R. 2173.

I reserve the balance of our time.

Mr. FLAKE. Madam Speaker, I thank the gentleman for introducing this. I think it's appropriate that the Congress at times names post offices, but I don't think that it is appropriate that we spend hours and hours doing it.

I think that if we ask our constituents at home if they want us to spend more time naming post offices or talking about post offices that have been named or talking about something important that will really affect them like cap-and-trade or cap-and-tax coming down the road, I think they'd say the latter. And I plan to vote for this post office naming, and I think it's appropriate that Carl B. Smith have a post office named after him in Maine.

Now, I think it's important that people across the country know what we're going to be debating this summer. It's going to affect them and affect them deeply, and if I was convinced that we're going to have adequate debate time on the floor for cap-and-trade, then I might feel more inclined to talk about post offices. But my guess is, when it comes to this, we're going to be having a very small amount of time actually on the floor. Very few amendments, if history is any guide, will be allowed on this cap-and-trade legislation, and there will be a truncated time and space that we actually have to talk about what is going to affect people all across the country.

Now, if I were supporting this cap-and-trade legislation that's coming down the pike, believe me, I wouldn't want to talk about it much here either because I think the more people learn about it, the more they fear about what is coming down the road here.

What is coming down the road are higher energy taxes. Let's be real here. And I think some on the other side of

the aisle have been honest enough to admit that. The Representative from Michigan said it best: I think nobody in this country realizes that cap-and-trade is a tax, and it's a great big one. Even the President, we know, said during his campaign that electricity prices, energy prices would necessarily skyrocket under cap-and-trade.

So we know that that's going to happen, but let's be honest about it. This is a high energy tax that Americans all over the country are going to be paying that's going to come to Washington, and then Washington is going to decide how to spend it, likely on something completely different.

If we want to be honest about helping the environment, then just impose a carbon tax and make it revenue neutral, give commensurate tax relief on the other side. Myself and another Republican colleague have introduced that legislation to do just that. Let's have an honest debate about whether or not we want to help the environment by actually having something that is revenue neutral where you tax consumption as opposed to income. Then you would have a real honest debate at least here.

Instead, this is a revenue source to pay for other items. Not just that, it is a revenue source that is haphazardly imposed, more tax that is haphazardly imposed. I shouldn't say haphazardly because I think it's by design. When you look at this cap-and-trade legislation that is coming through committee now, you realize that certain sectors, certain utilities and others, have been exempted from it, will be given permits instead of sold permits to pollute.

And so this is nothing more than bringing more revenue to Washington, deciding who is going to be taxed in the end, and down the road somehow the environment is supposed to be helped.

But whenever you have just a new revenue source for Washington to decide how you're going to spend it, you don't really have an honest debate about what you're doing, let's face it.

What we're likely to have is something like we've had over the past few decades with ethanol policy where we've subsidized ethanol again and again, every year more and more, by tariffs, by market protections, by all-out subsidies. You name it, we've protected that industry. And in the end, what have we gained by it? I think it's a record that is dubious at best, and we keep saying we are just going to prime the pump just a few more years and it will be on its own, but it never is. Now, it's not working that well, but it's a bridge to something else.

Let's be honest about this debate. Let's have a debate where if you're going to help the environment, if you feel that we ought to put a value on carbon, then do it in a revenue neutral manner so you're not bringing more revenue to Washington, and that's what this cap-and-trade legislation is about.

I don't know how else you can put it. That's why it's important to talk

about this rather than simply talk about post offices being named because this will affect the average American family in a big way. Some have estimated a few thousand dollars a year it might impact the average American family.

Whatever it is is going to impose a cost on the economy that is very difficult at this point to bear. And for what? What do we get in return? More revenue that Washington can spend on a different purpose or some other program? That's what this is turning into right now.

So I think it's appropriate, Madam Speaker, that we talk about cap-and-trade today, and I'm glad that we have something on the floor that allows us to do that.

And with that, I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, I continue to reserve.

Mr. FLAKE. I ask unanimous consent that the gentleman from Utah (Mr. CHAFFETZ) be allowed to control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. CHAFFETZ. Madam Speaker, I appreciate and thank my colleague from Massachusetts.

I rise in support of H.R. 2173, to designate the United States postal facility at 1009 Crystal Road in Island Falls, Maine, as the "Carl B. Smith Post Office Building."

As an advocate for all of the citizens in Maine's House District 140, State Representative Carl B. Smith was a standout legislator in the Maine House of Representatives.

After graduating from Sherman High School in 1940, and then marrying Annie Jane Porter in 1946, Representative Smith began a long and distinguished career in a number of fields. Prior to his marriage, Mr. Smith joined the Army Air Corps in 1942, serving in Europe during World War II, and in Japan and Korea during the Korean conflict for a total of 10 years. He then returned to his home in Island Falls where he trained and worked for over 30 years as the local barber.

Throughout the years, Mr. Smith served as the town clerk of Island Falls, town selectman, and for 10 years as a rural letter carrier for the United States Postal Service.

Mr. Smith's successful and varied careers made him well-suited for public office. His responsiveness to the needs of the citizens of his district ensured him of a successful 10 years in the State legislature.

He believed that as a true representative of his constituents it was his obligation to introduce legislation when asked to do so by a citizen even though there were times he did not necessarily support the bill. He believed by doing this he was giving the requesting citizens an opportunity to have an issue that was important to them addressed.

He had a deep belief in local input on legislation and local control of development issues. Mr. Smith was also a strong advocate in requiring the State to reimburse any locality 75 percent of the cost of all mandated programs.

A true representative of the long-held ideal of Maine's citizens, Mr. Smith felt very strongly about energy and environmental conservation issues.

□ 1115

He championed many environmental initiatives and served on committees in the legislature related to fisheries and wildlife.

During his time in the legislature, he supported the Clean Indoor Air Act, a nonsmoking ban for the State. Another area of interest to Mr. SMITH was prison reform. While serving on the Corrections Committee, he proposed a bill that would provide a restitution program where imprisoned persons convicted of nonviolent crimes worked to pay their room and board at the prison, supporting their dependents, and pay damages owed to persons as a result of their crimes.

Representative SMITH personified the ideals of this country. He served his country in war, worked hard in his community of Island Falls, and was elected to serve in the State legislature, where he was able to positively affect the lives of citizens of Maine well beyond the borders of his legislative district.

With gratitude for his service to the State of Maine, I ask all Members to join me in the support of H.R. 2173.

Madam Speaker, I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time I'd like to yield 2 minutes to the gentleman from northern Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. Madam Speaker, I thank my colleague and my friend from Massachusetts. I can't help but rise, having heard our friend from Arizona who decided that really we were sort of wasting our time, despite the words of our friend from Utah just now, on the naming of a post office.

I'm reminded of the words from the book of Ecclesiastes that to everything there is a season. Today, at this moment, that season involves the naming of a post office that matters a lot to that community, that family, the memory of that individual, to the Members who represent that area in the United States Congress.

There will be time enough to debate cap-and-trade. In fact, last night we spent over an hour talking about cap-and-trade on our side of the aisle. I was privileged to participate in that.

But I think that it's easy sometimes when one has perfected the politics of "gotcha" to sound sanctimonious that one is rising above the trivial and addressing real issues when, as a matter of fact, in this body we address a whole range of issues.

I just rise in defense of the naming of a post office that's not trivial to part

of the folks we represent in this body and hardly represents the avoidance of a vigorous debate that I look forward to on cap-and-trade when that season is right.

I thank my friend from Massachusetts.

Mr. CHAFFETZ. I yield such time as she may consume to my distinguished colleague from the State of North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Utah for the recognition. I want to make it clear, as my colleague from Arizona made it clear, we mean no disrespect, no denigration to the people for whom these post offices are being named. In fact, we're all very proud of Mr. MCHUGH, the nominee for the Secretary of the Army, whose bill preceded this bill.

I want to commend my colleague from Maine for introducing this legislation to honor Carl B. Smith with a post office named in his honor. However, we know the way that things are handled around here. It's been all too clear a pattern.

When it comes time to debate the legislation that is of major significance to everyone in this country, we wind up with closed rules and we wind up with debate cut off. And so it is up to us to inform the American people at every opportunity that we have what the impact of proposed legislation by the majority is going to be.

We hear over and over again when earmarks are requested by people on the other side that it's important that they bring home the bacon to their districts. Well, it's important to our constituents that they be told how much this cap-and-tax bill is going to cost them, because many Americans do not know it.

And I would say that the things that I have heard in Special Orders and even in the 1-minute where folks on the other side are talking about cap-and-tax, it's as though we're talking about two different bills.

So we're not really having a debate on the merits of a piece of legislation. We're hearing a lot of propaganda about that legislation, but we're not having a real true debate on it. So it's up to us to inform the American people of the facts of the legislation.

As my colleagues have said before, the cap-and-tax bill that was passed out of the Congress in the Energy Committee a couple of weeks ago is a government planning scheme. It is more of taking all the choices in people's lives in this country up to the Federal Government level.

It will stifle private sector innovation. We are the most innovative country in the world because of the freedom that we have, and yet all the legislation coming through this Congress is aimed at stifling that freedom.

It is going to result in higher consumer energy prices. We know that. The President has admitted it. One of our colleagues from Michigan has admitted it's a huge tax. The President

has said the prices are going to skyrocket. So how can they deny it when their own leadership has said it?

We know it's going to result in job losses, lower wages, and stock devaluation. It's not likely to reduce emissions, and there is no guarantee that reducing U.S. emissions is going to stop what is being called global warming. We don't even know that human beings are causing the global warming.

So we're using—I'm not even sure you can call it bad science. I think using the term "science" in conjunction with what is the underlying rationale for this bill is too strong a word.

But Republicans do have an alternative. Contrary to what our colleagues are saying over and over, we are not the Party of No. We are the Party of Do, and do right by the American people.

The American Energy Innovation Act, which is the Republican alternative to this, encourages innovation within the energy market to create the renewable fuel options and energy careers of tomorrow. It promotes greater conservation and efficiency by providing incentives for easing energy demand and creating a cleaner, more sustainable environment.

It increases the production of American energy by responsibly utilizing all available resources and technologies and streamlining burdensome regulations.

We have an alternative. It is a viable alternative. But that bill will never be debated. You talk about wanting debate. You talk about wanting discussions. Why not bring that bill up and let it be debated? Why not put it up for a vote just like the cap-and-tax bill will be put up for a vote?

No, that's not the way of this majority. The way of this majority is to stifle every idea that is good for this country and say, We won. We're going to do what we want to do. That's the attitude of the majority party. That is not true debate.

We would love to have true debate. We'd love to see the people on this floor have choices. They are not being given choices. They're not being allowed to debate.

So, Madam Speaker, we don't mean in any way to take away from the honors being given to these people for whom post offices are being named. As was pointed out earlier, one of them was by one of our Republican colleagues that we respect. But we think it's important to inform the American people of what they will be facing if some of the legislation being proposed by the Democrat majority is passed.

Mr. LYNCH. I yield myself such time as I may consume just to rebut the fallacy that the other side of the aisle needs to step on a bill that Mr. MCHUGH put forward to recognize someone from his district because we're naming a post office for that individual; or the gentleman from Tennessee who was honored, Governor

Wilder, 30 years served as Lieutenant Governor of that State.

The other side argues that there's a lack of opportunity to talk about these other issues so they have to use the time that was designated to honor these people—a very brief amount of time, by the way. Normally, just a few minutes on each side, we get rid of these bills. They have extended the time we have spent on this floor.

But I just want to take today's schedule. Today's schedule, we have hearings all over the Capitol. We have 14 hearings in the Senate; some of those dealing with cap-and-trade. We have 18 hearings where Members of Congress will stand behind microphones just like this one and expound of their views on issues everywhere from agriculture to appropriations to energy and commerce, which is the subject matter that the other side would like to talk about.

There are ample opportunities for people in Congress to talk and talk and talk. Matter of fact, it reminds me of that movie, "Charlie Wilson's War." Charlie Wilson's secretary, who was not familiar with the workings of Congress, turned to the Congressman and said, Charlie, why do Members of Congress talk and talk and talk and talk and never do anything? And Charlie turned to her and he said, Well, honey, mostly it's tradition. And that's what's going on here.

I have great respect for the ranking member, the gentleman from Utah, who came up and talked about the bill that was on the floor, talked about its merits. And Carl B. Smith; this is a post office being named after a gentleman who worked as a rural letter carrier.

Now you may laugh down your nose at that, but we seem to think that's honorable service to our country. Just because this guy was a letter carrier is no reason for Members on the other side of the aisle to denigrate his service, to denigrate the honor that's being bestowed upon him.

This man worked his entire life. He was a veteran. He was a letter carrier. This is the backbone of America. He was a proud union member. He dedicated his life. He was a good American. He put on the uniform of this country. Served in the Army. What about his service? What about his service?

Instead, we get a bunch of . . . standing up here spouting about stuff that you can talk in any single committee hearing on this schedule.

Mr. CHAFFETZ. Madam Speaker, I ask to take his words down.

Mr. LYNCH. I withdraw my comments. I apologize. I apologize on the word "blowhard." I retract that. I retract that.

Instead, we have Members—
The SPEAKER pro tempore. Without objection, the words are stricken.

There was no objection.

Mr. LYNCH. I ask to strike.

The SPEAKER pro tempore. The gentleman from Massachusetts will proceed.

Mr. LYNCH. That was overreaching on my part.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. LYNCH. Instead of giving those gentlemen—the gentleman from Tennessee, who served 30 years, Carl Smith, 30 years as an elected official and a postal servicemember, and Frederick Remington—giving them their due time on this floor, the brief moment that they have, probably the highest moment of achievement for certainly Mr. Smith in Maine—and, by the way, the sponsor of that resolution, MIKE MICHAUD, is actually chairing a subcommittee on Veterans' Affairs so he can't be here. So he has relied upon us to extend the basic courtesy to someone in his district who dedicated their lives to this country.

He was a man of a common position; just a rural letter carrier—like a lot of folks in this country, from a small town—and we're trying to name a post office after him.

Mr. MICHAUD sent this bill over while he is in committee dealing with veterans' affairs and debating those issues and asked us to handle this. I just think some of us have handled that responsibility poorly. That's what I think. That's my opinion.

And I just wish that even though you may look down your nose at this, you may not think that this is important at all, it's very important for these families and for these individuals to be honored.

With that, Madam Speaker, I reserve the balance of my time.

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Mr. CHAFFETZ. May I inquire as to the remaining time, please.

The SPEAKER pro tempore. The gentleman from Utah has 5 minutes remaining, and the gentleman from Massachusetts has 10 minutes remaining.

Mr. CHAFFETZ. I yield myself as much time as I may consume.

Madam Speaker, let me just say that I appreciate the gentleman from Massachusetts and sometimes the emotions. It seems to me, having just joined this debate, that we have spent more time criticizing what the Republican side of the aisle would like to talk about and that we have started to engage in the politics of personal destruction as opposed to talking about the issues of the day that are going to affect not just this one letter carrier who has served honorably.

I just want to reiterate the great work and dedication that this individual gave to the State. I think it is appropriate that we recognize and have a post office named after him. That's quite an honor that will stay, I hope, for a long, long period of time, for eons of time so that people can appreciate and can get to know and recognize him.

At the same time, I think a fair assessment would be, while we can give these individuals a few minutes of time and can recognize their strengths and contributions to the State, we do need

more ample time to deal with what could be the single largest tax increase in the history of the United States of America, an increase that is going to touch every single American's life.

While there may be committee meetings over in the Senate and on committees that I'm not a participant in, I would hope that this body would continue to extend the time to talk about one of the most pertinent issues—the cap-and-trade—and the opposition that many of us here on the Republican side of the aisle feel to this bill.

With that, I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, I welcome the gentleman's remarks. I understand the pressures put on the schedule, but I do know there is enormous opportunity for Congress. Never in the history of this country have we had more outlets and more opportunity to get our message out.

Last night, I know that our side took an hour just to talk about cap-and-trade. I know that your side does the same thing. There are a lot of opportunities and a lot of forums in this building and elsewhere on Capitol Hill to speak about them. We have a lot of issues. We have a lot of issues that confront us today, and there are many, many, many opportunities to express our opinions. I just think that this is one little slice of time that we have put aside for a significant purpose. It may be a narrow purpose in recognizing certain individuals, but I think that it should be dedicated and spent on that purpose without intervening subject matter denigrating that recognition and that honor that is so well deserved.

With that, I welcome the gentleman's remarks. Again, if it were not clear before, I apologize for my earlier remarks. The descriptions were inappropriate, and I do apologize for those remarks. Again, I ask that they be stricken from the RECORD.

I reserve the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I urge all Members to support the passage of H.R. 2173, and I yield back the balance of my time.

Mr. LYNCH. Madam Speaker, with that and on behalf of the gentleman who is the lead sponsor of this resolution, MIKE MICHAUD from Maine, in honor of Carl B. Smith, we ask that this resolution be supported unanimously by the Members of Congress in recognition of a good, good American.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 2173.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HONORING ANNUAL SUSAN G. KOMEN RACE FOR THE CURE

Mrs. CAPPS. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 109) honoring the 20th anniversary of the Susan G. Komen Race for the Cure in the Nation's Capital and its transition to the Susan G. Komen Global Race for the Cure on June 6, 2009, and for other purposes.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 109

Whereas breast cancer is the most frequently diagnosed cancer in women worldwide, with more than 1,300,000 diagnosed each year;

Whereas breast cancer is the leading cause of death among women worldwide, more than 465,000 die from the disease each year, and a woman dies from breast cancer every 68 seconds;

Whereas there are more than 2,500,000 breast cancer survivors alive in the United States today, the largest group of all cancer survivors;

Whereas a woman has a one-in-eight lifetime risk of developing breast cancer, and only a small percentage of cases are due to heredity;

Whereas incidence rates for breast cancer are increasing by as much as five percent annually in low-resource countries;

Whereas, since its inception, Susan G. Komen for the Cure has invested more than \$1,300,000,000 in breast cancer research, education, and community health services that have raised awareness and improved treatment, helping more people survive the disease and creating a strong support community of breast cancer survivors;

Whereas publicly and privately funded research has resulted in treatment that has raised the 5-year survival rate for women with localized breast cancer from 80 percent in the 1950s to 98 percent in 2008;

Whereas the Susan G. Komen Race for the Cure Series is the organization's signature program and is the world's largest and most successful education and fundraising event for breast cancer;

Whereas more than 120 Komen Race for the Cure events are held across the globe, raising significant funds and awareness for the fight against breast cancer;

Whereas a record \$3,700,000 from the 2008 Komen Race for the Cure was granted to 18 organizations in the National Capital area for 2009, a 10 percent increase over last year's local funding;

Whereas these grants are awarded to projects dedicated to addressing gaps and unmet needs in breast health education and breast cancer screening and treatment in underserved populations throughout the National Capital area;

Whereas 2009 marks the 20th anniversary of the first Susan G. Komen National Race for the Cure in Washington, DC;

Whereas this year the Susan G. Komen National Race for the Cure becomes the first-ever Susan G. Komen Global Race for the Cure, reflecting Komen's global mission to end breast cancer wherever we find it, at home or abroad; and

Whereas more than 50,000 participants, including 4,000 breast cancer survivors and hundreds of congressional and Federal agency employees are expected for the 20th annual 5K run/walk on Saturday, June 6, 2009, on the National Mall: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) remembers the lives of the women and men who have lost their fight with breast cancer and expresses support and admiration for those who have survived;

(2) congratulates those survivors, family, friends, and other community members who participate in the Global Race for the Cure in order to raise money for research and education so that many more may survive and encourages Americans to walk this year and to support their family and friends who participate; and

(3) honors the Susan G. Komen Global Race for the Cure for its impact on the National Capital Area, the Nation, and the world.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. CAPPS. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. CAPPS. I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H. Con. Res. 109, a resolution that honors the Susan G. Komen Global Race for the Cure.

More and more women are surviving breast cancer due in no small part to Susan's sister and to the many women and others who took to the streets and, in a variety of grassroots ways, decided to take this curse, really, which is breast cancer, out of the closet and into the spotlight where attention could be paid to it. We have seen that more and more women are surviving, but there is much more work to do in extending screening and treatment here and abroad. More research is needed into how we can better detect and treat breast cancer, and more work needs to be done to ensure that survivors have the tools they need to navigate the complexities of treatment, symptom management and follow-up care.

This Saturday will be the 20th Susan G. Komen Race for the Cure here in Washington, D.C. In recognition of the global scope of breast cancer this year, the race's name has been changed to the Susan G. Komen Global Race for the Cure.

I want to thank our colleagues, Representatives CONNOLLY, WASSERMAN SCHULTZ and SABLAN, for their leadership on this issue. I urge my colleagues to join me in supporting this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. TERRY. I yield myself as much time as I may consume.

Madam Speaker, I appreciate working with the gentlewoman from California. We work on a lot of our health bills together. That's the spirit of comity in the Energy and Commerce Committee.

It is with great pride that I rise today in support of the House Concurrent Resolution 109, honoring the 20th anniversary of the Susan G. Komen Race for the Cure in the Nation's Capital and its transition to the Susan G. Komen Global Race for the Cure on June 6, 2009.

So this Saturday, here in Washington, D.C., D.C. will be the host of the Susan G. Komen Global Race for the Cure, and participants will be walking, running, volunteering, and even sleeping to help raise money for breast cancer research, education and community awareness. More than 50,000 participants, including 4,000 breast cancer survivors and hundreds of congressional and Federal agency employees are expected for the 20th annual 5K walk on the National Mall.

I would like to at this point inject that Omaha, Nebraska's Susan G. Komen race is in October when it will be a little cooler. We like running and walking, and our office has a team for that race. I would encourage every congressional office, in their districts, to field a team to help raise awareness and research for breast cancer.

My mother was a breast cancer survivor until a different cancer got her a year ago. So I would like to express my gratitude for the \$1.3 billion the Susan G. Komen for the Cure has invested, helping more people survive the disease and creating strong community support for breast cancer survivors.

Publicly and privately funded research has resulted in the treatment that has raised the 5-year survival rate for women with localized breast cancer from 80 percent in the 1950s to nearly 98 percent as we stand here today.

I would like to thank the author of the resolution, Mr. GERALD CONNOLLY of Virginia, for his leadership in honoring the Susan G. Komen Global Race for the Cure. I encourage all of my colleagues to vote in favor of this resolution.

I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I concur with my colleague from Nebraska as to the significance of our local races, and I have a feeling that this weekend there will be many from Capitol Hill who will also be participating in the Washington, D.C. event. As a sister of a breast cancer survivor, I know this is a very personal story for almost everyone today.

With great pleasure, I yield to the author of the legislation, Representative CONNOLLY from Virginia, for such time as he may consume.

Mr. CONNOLLY of Virginia. Madam Speaker, I thank my colleague from California, and I thank my colleague from Nebraska for his kind remarks.

I rise in strong support of H. Con. Res. 109, honoring the Susan G. Komen National Race for the Cure.

This Saturday, June 6, 2009, marks the 20th anniversary of the race here on the National Mall in the Nation's Capital. More than 50,000 race participants, including 4,000 breast cancer

survivors—4,000 breast cancer survivors, Madam Speaker—their families, their friends and supporters, plus hundreds of congressional and Federal agency staff, including staff from my own office and many others, will participate in the annual 5K run and walk. Thanks to last year's race, a record \$3.7 million in grants was provided to 18 organizations in the National Capital region alone.

Madam Speaker, Susie Komen, as her sister affectionately called her, was just 36 years old when she was stricken and lost her 3-year battle with breast cancer in 1980. She did not have the benefit of a nationwide support network like the one her sister, Nancy Goodman Brinker, would found in her name 2 years later because, together, they identified large gaps in the system of care as part of Susan's valiant experience.

The first Race for the Cure was held in 1983 in Houston, Texas, and its success has subsequently spread to communities across the Nation. Now the annual race is the primary fund-raising vehicle for the Komen Foundation, which today has invested more than \$1.3 billion worldwide for breast cancer research, education and community health services.

Those efforts have raised greater awareness, and have improved the treatment of breast cancer, itself, helping more people survive and creating a strong support of community survivors. Thanks in large part to organizations like Komen for the Cure, nearly 75 percent of women over the age of 40 now receive regular mammograms compared to just 30 percent when the campaign started in 1982. The 5-year survival rate for breast cancer was just 74 percent in 1982. Today, it is 98 percent. Numbering more than 2.5 million fellow Americans, breast cancer survivors now are the largest group of any cancer survivor community in the United States of America, but more needs to be done.

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Through the Department of Defense peer-reviewed Breast Cancer Research Program, we already have invested more than \$2.1 billion in the ongoing search for a cure, and the Fiscal Year 2009 Omnibus Appropriations Act included another \$150 million for this purpose.

We are also considering legislation, Madam Speaker, initiated by my colleague Congresswoman DEBBIE WASSERMAN SCHULTZ of Florida, who also is an original cosponsor of this resolution and a survivor, to better educate young women about the threat of breast cancer and other related bills that would provide greater protections to patients being treated for breast cancer.

Mr. Speaker, let me also note that we anticipated having our original cosponsor, Congressman GREGORIO SABLAN, with us today on the floor, but he is attending his son's graduation back home in the Northern Mariana Islands.

Succeeding in this effort will require continued persistence from us and from the thousands who will converge this weekend on the National Mall and from races all across the globe in the months to come. The National Race for the Cure is just one of more than 120 Race for the Cure events that will be held internationally this year. With more than 1.3 million diagnoses each year, breast cancer is the most frequently diagnosed cancer worldwide with incident rates increasing by as much as 5 percent annually in low-resource countries. Sadly, despite the progress we've made in 5-year survival rates, it's also the leading cause of death for women worldwide, claiming more than half a million lives each year, according to the World Health Organization. At that rate, a woman will die from breast cancer virtually every minute of every day in the year. To emphasize the significance of those numbers, the Komen Foundation is renaming its annual race as the Global Race for the Cure, reflecting its global mission to end breast cancer wherever it is found, at home or abroad.

Mr. Speaker, as we prepare for this weekend's race, I invite survivors and supporters to join the team from my office if you do not already have somebody to walk with or run. We can be found under CONNOLLY's Cruisers on the race Web site. Much like the cherry blossoms do in the spring, we will turn the National Mall a vibrant shade of pink this weekend as we come together to demonstrate the urgency and necessity for finding a cure.

Mr. Speaker, I urge all of my colleagues to join us in supporting this very important effort.

Mr. TERRY. I continue to reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, it is with great pleasure that I yield as much time as she may consume to our colleague from Florida (Ms. WASSERMAN SCHULTZ) whose connection to this topic is the most personal you can get.

Ms. WASSERMAN SCHULTZ. I thank the gentlelady from California for the time.

Mr. Speaker, I rise in strong support of House Concurrent Resolution 109, which honors the 20th anniversary of the Susan G. Komen Race for the Cure. Susan G. Komen for the Cure is the largest and most progressive group of breast cancer activists in the world. So it is no surprise that the race, now in its 20th year, is the world's largest and most successful fundraising event in the fight against breast cancer. Over the years, participants have raised tens of millions of dollars to fund screening, treatment and education programs for the medically underserved. And with over 120 races across the globe, it is fitting that when the thousands of runners, walkers and, yes, even sleepers participate this Saturday, they will be part of the newly named Global Race for the Cure. The new name is also fitting because we know that breast cancer respects no national boundaries and

is, in fact, the leading cause of death among women worldwide.

To be sure, while we have come a long way in the fight against breast cancer, we still have too far to go. This year in the United States alone, over 190,000 women will be diagnosed with breast cancer. Many of those women will be younger than 45 years old. Each year, 28,000 women younger than 45 are diagnosed with breast cancer, and far too many of them lose their battle. Forty-thousand of the women diagnosed nationwide will not survive. Globally, over 1.3 million women will be diagnosed with breast cancer, and almost half a million will die. That is why we cannot rest in our efforts to fund research and find a cure for this insidious disease, and it is why we cannot rest in our efforts to provide education and awareness for all women. We must ensure that they have access to screening and treatment, and we must do all we can to support the more than 2.5 million survivors in our country alone.

As many of you know, I recently had my own battle with breast cancer. I am both grateful and humbled to count myself among this growing group of passionate survivors. I was fortunate to have access to the treatment and support that I needed to win my own fight. Through efforts like the Race for the Cure, we can all work together to make sure that everyone has that same opportunity.

So thanks to the many people participating in this year's race—the countless volunteers, the supporters, the runners, walkers and all the staff of Susan G. Komen for the Cure for making this event an annual reality. And thanks to my colleague and friend Representative GERRY CONNOLLY for his leadership in sponsoring this important resolution and for working with myself and Delegate GREGORIO SABLÁN to honor the work of everyone fighting against breast cancer. And congratulations to Mr. SABLÁN's family on his child's high school graduation.

I urge my colleagues to support this wonderful resolution and to take a moment to honor all of those we have lost in this fight and also those that struggle on. Let us not stop until the race is won. Early detection is the key. I did not find my tumor through luck. I found it through education and awareness. All women and all families in this country deserve access to that education and awareness.

Let me just issue a little challenge to the 13 teams in the congressional division competing in the Race for the Cure this Saturday. Let's show all the other teams what our congressional teams can do, step up our efforts in the last few days, and really increase the participation of the Members and staff of the congressional division for the Global Race for the Cure.

Mr. TERRY. I have no further speakers. I will just say that I really appreciate the gentlelady from Florida (Ms. WASSERMAN SCHULTZ) for coming down

to the floor and speaking about her personal experiences. The courage that she has in speaking about this openly, educating people across the country, she's very special; and I'm glad she came down.

I want to congratulate all of the D.C. employees of our staffs that will be participating in the Race for the Cure this weekend. I wish them well. Raise lots of money. This is one of the truly great organizations, and it is the symbol of grassroots efforts for a cure for breast cancer. I wish them well this weekend as well as all of the other walks and runs that will occur in most cities across the Nation over the next few months.

I yield back the balance of my time.

Mrs. CAPPS. I want to thank my colleague from Nebraska and to acknowledge that this is truly one bipartisan issue that we all agree upon. And as our colleague from Florida has issued us all a challenge, we now have a goal to try to reach here with our staffs and on the Hill, from the Hill as we participate. I want to thank the sponsors of the race for expanding their scope and now for this resolution being known as the Susan G. Komen Global Race for the Cure and to acknowledge this day coming, June 6, 2009.

Mr. SABLÁN. Mr. Speaker, I rise today in support of House Concurrent Resolution 109. Many, many families across the United States have had their lives irrevocably changed because of a diagnosis of breast cancer. Many of these families have lost a loved one, a mother or sister or daughter, or even a father, brother, or son, to this devastating disease.

The statistics surrounding breast cancer are sobering. One in eight women in the United States will be diagnosed with breast cancer in her lifetime. Though there are 2.5 million survivors in the United States today, many more lives could be saved with the benefit of better, earlier detection and more effective treatment.

The problem is just as serious in other nations around the world. Breast cancer is the most frequently diagnosed of all cancers worldwide, with more than 1.3 million diagnoses each year. It is also the leading cause of death among women around the world, with over 465,000 deaths each year.

Imagine that for a moment—465,000 children without mothers, fathers without daughters, sisters and brothers without their siblings. And these are people from every walk of life, of every age, and in every corner of the globe.

Fortunately for all of us, there are many organizations whose mission is to improve research and education surrounding this devastating disease. Through their efforts, groundbreaking treatments have raised the 5-year survival rate for women with localized breast cancer from 80 percent in the 1950s to 98 percent in 2008.

Among these organizations is the Susan G. Komen Foundation. Komen's fundraisers, including the Race for the Cure and the Breast Cancer Three-Day, have raised tens of millions of dollars that will help people around the world improve detection, treatment, and education—since its inception, Komen alone has invested more than \$1.3 billion in such programs.

Komen's annual National Race for the Cure will take place this weekend in Washington,

D.C.—the 20th such race. More than 50,000 participants, including survivors of breast cancer, family members of patients, and others, will help medical research move forward and benefit many more men and women in the future.

Last year, my district even fielded its own team to participate in the Breast Cancer 3-Day Walk in Seattle. The "Saipan Sweet Feet" team included Bobbi Grizzard, Marian Aldan Pierce, Clarie Kosak, Pam Brown, Rhoda Smith, Roberta Guerrero, Kazuyo Tojo, and Corrine Loprinzi. I hope others will participate in these wonderful events this year.

I wish, along with my colleagues, to congratulate the participants in this race and thank them for dedicating their time and money to such a cause, to express my admiration for the strength and courage of breast cancer survivors, to honor the Susan G. Komen foundation for its work, and to offer my heartfelt condolences to those who have lost friends and family members to this disease.

Ms. WATERS. Mr. Speaker, I rise in strong support of House Concurrent Resolution 109—Honoring the 20th anniversary of the Susan G. Komen Race for the Cure in the Nation's Capital and its transition to the Susan G. Komen Global Race for the Cure on June 6, 2009. I commend my colleague Representative GERALD E. CONNOLLY for bringing this measure before the floor.

Breast cancer has had a devastating impact on women worldwide, as 1.3 million cases are diagnosed each year. In a 2009 report, the National Cancer Institute estimates there will be 192,370 new breast cancer cases among women living in the United States. And in addition to these statistics, the disease continues to pose unique challenges to the African American community. Clearly, we must continue to educate and inform the American public about breast cancer and the importance of being proactive in having regular medical screenings, particularly focusing on individuals that belong to high-risk demographics. Accordingly, the Susan G. Komen Race for the Cure has achieved great strides in raising money for breast cancer research, community initiatives, and educating women about the disease.

The impact of cancer within the African American community has been particularly devastating. The mortality rates for Blacks with breast, colon, prostate, and lung cancer are much higher than those of any other racial group. Although African American women are less likely to be diagnosed with breast cancer than other racial and ethnic groups, they are 35 percent more likely to die from the disease. This is due in part to the fact that Black and Hispanic women are less likely to receive breast cancer screening with mammograms than White women.

Research has proven that early detection is essential in increasing an individual's chance of beating the disease. Thus, community outreach and education go a long way in combating breast cancer mortality rates. The Susan G. Komen Foundation has invested more than \$1.3 billion in breast cancer research, education, and community health services that have raised awareness and improved treatment, helping more people survive the disease and creating a strong support community of breast cancer survivors. Undoubtedly, the organization has done much to advance our national fight against breast cancer, and it

certainly deserves our recognition for the great work it has accomplished.

Mr. Speaker, as a strong advocate for breast cancer research, community outreach, and awareness campaigns, I am pleased to add my voice of support for House Concurrent Resolution 109.

Mrs. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to commemorate the 20th anniversary of the Susan G. Komen Race for the Cure in the Nation's Capital and its transition, on June 6, 2009, to the Susan G. Komen Global Race for the Cure. With its headquarters located within my congressional district in Dallas, Susan G. Komen for the Cure reaches out both nationally and globally to women affected by breast cancer. I am pleased to honor the foundation today as they celebrate their achievements and continue to move forward in creating a world without breast cancer.

Susan G. Komen for the Cure was founded by Nancy G. Brinker in 1982 on the basis of fulfilling a promise she made to her sister, Susan G. Komen. Her promise was to end breast cancer forever. Since its establishment, Susan G. Komen has raised \$1.2 billion from events like the Race for the Cure, contributing the largest source of non-profit funds dedicated to fighting breast cancer. As a result, there have been several advances in the fight against breast cancer. There is now increased government funding in cancer research, prevention, and funding, and an increased chance of survival due to earlier detection.

Over the next ten years, Susan G. Komen for the Cure will continue to contribute to the fight against breast cancer. The foundation plans to invest an additional \$2 billion to help find a cure for breast cancer and better the lives of women all across the world. As a former nurse, I am honored to congratulate them on their 20th anniversary of the Race for the Cure in the Nation's Capital, as well as their transition to a global organization.

Mrs. CAPPS. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HOLDEN). The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 109.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. CAPPS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SUPPORTING MENTAL HEALTH MONTH

Mrs. CAPPS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 437) supporting the goals and ideals of Mental Health Month, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 437

Whereas the mental health and well-being of people in the United States is an issue that affects not only quality of life, but also the health of our communities;

Whereas the stigma associated with mental health continues to persist;

Whereas more than 57,000,000 people in the United States suffer from mental illness;

Whereas approximately 1 in 5 children and adolescents has a diagnosable mental disorder;

Whereas more than a quarter of our troops suffer from psychological or neurological injuries sustained from combat, including major depression and post-traumatic stress disorder;

Whereas more than half of all prison and jail inmates suffer from mental illness;

Whereas major mental illness costs businesses and the United States economy over \$193,000,000,000 per year in lost earnings;

Whereas untreated mental illness is a cause of absenteeism and lost productivity in the workplace;

Whereas in 2006, over 33,000 individuals committed suicide in the U.S., nearly twice the rate of homicide;

Whereas suicide is the third leading cause of death among people between the ages of 15 and 24;

Whereas in 2004, individuals age 65 and older comprised only 12.4 percent of the population but accounted for 16.6 percent of all suicides, and the rate of suicide among older people in the United States is higher than for any other age group;

Whereas 1 in 4 Latina adolescents report seriously contemplating suicide, a rate higher than any other demographic;

Whereas studies report that persons with serious mental illness die, on average, 25 years earlier than the general population; and

Whereas it would be appropriate to observe May 2009 as Mental Health Month: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of Mental Health Month in order to place emphasis on scientific facts and findings regarding mental health and to remove stigma associated therewith;

(2) recognizes that mental well-being is equally as important as physical well-being for our citizens, our communities, our businesses, our economy and our country;

(3) applauds the coalescing of national and community organizations in working to promote public awareness of mental health and providing information and support to the people and families affected by mental illness; and

(4) encourages all organizations and health practitioners to use Mental Health Month as an opportunity to promote mental well-being and awareness, promote access to care, and support quality of life for those living with mental illness.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. CAPPS) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from California

GENERAL LEAVE

Mrs. CAPPS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. CAPPS. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of House Resolution 437, supporting the goals and ideals of Mental Health Month. I would like to thank my colleague Congresswoman NAPOLITANO for her leadership on this issue. This resolution underscores the importance of mental health for the overall well-being of Americans, the health of our communities and the Nation's economic strength. It's an opportunity to commend the important work of health practitioners who, together with national and community organizations, are so dedicated to the promotion of mental health. These practitioners, these organizations, work tirelessly to improve awareness of mental health issues. As a nurse, I especially welcome this opportunity to recognize the contributions of so many of my colleagues.

Over 57 million Americans suffer from mental illness. Mental illness is the leading cause of disability in our Nation; and when left untreated, mental illness is a leading cause of absenteeism and lost productivity in the workplace. This resolution knows that mental illness disproportionately affects a number of groups, including the elderly, adolescents, young adults, minorities and now, most especially we note, our troops returning home from combat. Despite the prevalence of mental illness in our society, this resolution appropriately highlights the stigma still associated with many of these conditions and that the stigma persists. Even though we have passed mental health parity legislation, we have so much more work to do to fully realize equal benefits for mental illness prevention and treatment. For this very reason, it is important to support the goals and ideals of Mental Health Month while also working to reduce the stigma associated with mental illness.

I urge my colleagues to join the bipartisan sponsors of this bill in supporting Mental Health Month.

Mr. Speaker, I reserve the balance of my time.

Mr. TERRY. Mr. Speaker, I yield myself as much time as I may consume.

I, too, rise in support of House Resolution 437, acknowledging the month of May as National Mental Health Month.

Mental health has been recognized by Congress for over 50 years and has continued to raise awareness in our communities and lower the stigma associated with mental disorders. I would like to express my gratitude to the national and community organizations working to promote public awareness of mental health and providing the proper information for families affected by mental illness. Your work is critical to increasing the quality of life for those with mental illness. I would like to thank the author of the resolution, Mrs. GRACE NAPOLITANO, who was a classmate of mine, for her leadership in helping Americans while addressing

mental disorders. I encourage all of my colleagues to vote in favor of this resolution.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, it's a pleasure to yield to the author of this legislation, our colleague from California (Mrs. NAPOLITANO) as much time as she may consume.

Mrs. NAPOLITANO. I thank the gentlewoman from California.

I certainly am very grateful that this has been put on the agenda, and I'd certainly like to thank Chair WAXMAN and Ranking Member BARTON of the Energy and Commerce Committee for promoting this resolution.

Every year we recognize in the United States May as the National Mental Health Month. Now today with House Resolution 437 we do so with great joy and sometimes with great trepidation. Mental health is an important issue that deserves attention year round. For too long there's been an associated stigma with mental health. You don't want to talk about it. You don't want to hear it. You don't want to see it. But we must continue to work to remove the stigma, the barrier to knowledge, to make more awareness available and increase access to mental health services both to our military and also to our young men and women, whether it's at the schools, at the universities, in the different areas where it's more prevalent. We have found that early detection, intervention and assistance is very key to being able to have productive citizens in this area. Our U.S. Surgeon General has estimated that over 57 million Americans suffer from mental illness, and it affects everybody. It crosses boundaries. It does not rise to gender or political parties. It is affecting everybody. It does not discriminate.

One in five children in the United States has a mental disorder. This is according to the U.S. Surgeon General's report. And fewer than 20 percent of these children receive the mental health services they desperately need.

□ 1200

Seventy to ninety percent of those treated do experience reduction of symptoms. So we know treatment is very effective. We just know that we don't have sufficient funding to allow for that treatment to be made available to everybody that needs it. And based on the Surgeon General's report, suicide is the third leading cause of death of young people ages 10 to 24. We are losing a lot of youngsters who will not have an opportunity to provide us with their knowledge, expertise and support in the future years of America.

Mental illness also disproportionately affects minorities. In 1999, a study done called "The State of Hispanic Girls in the United States" said one in three was reported considering suicide in ages 9 to 11. Currently the Hispanic rate for young girls remains the highest. Although it has been lowered somewhat, it still remains the

highest percentage in the United States of attempted suicides.

And a new study just recently revealed that fifth-graders who believe they have experienced racial discrimination are at increased risk for depression, attention deficit disorder and other mental health problems. And unfortunately, Hispanics are three times more likely to have those symptoms. And blacks, African Americans, are twice as likely to be affected by these symptoms.

Then we go into our troops, our soldiers, our returning veterans. More than one in five Iraq and Afghanistan veterans will suffer from mental health conditions, whether it is PTSD, depression, even traumatic brain injury. There is increased news coverage on this. It happens every day. We hear and we see the reports about the effect it has on some of our men and women who have gone and served two, three, four and sometimes as many as five deployments. We continue to bring that to the forefront because we owe those servicemen and women the ability to be able to assimilate back into society and help them by delivering mental health services that they will desperately need not 1 month, not 5 months, maybe not years, but maybe somewhere along the line they are going to be able to have somebody help them out.

We must educate ourselves. We must educate our families. We must educate our loved ones what may happen to a returning veteran, how to recognize it and how to refer them for help and assistance in being able to deal with the symptoms that will not enable them to keep a job and be able to be productive citizens. They need to learn the symptoms of post-traumatic stress syndrome.

Families are also impacted, wives, the children, the separation, the long separations of the father or the mother, whatever the case may be, from their parent, the primary care providers and all physicians, nurses, psychologists and psychiatrists must also learn how to be able to recognize PTSD, which is a little bit separate than trauma, to ensure that all these men and women receive the care they need. The most common problem in the military culture, of course, is the fear of how this will impact their military career. And I'm glad to say that some of our military leaders are beginning to recognize that this is an important way to be able to help their men and women in service remain in service and be a part of their troops or their units. And we must continue to bring that forth and be able to assure them that they will not lose their ability to be able to be promoted.

We must train those military leaders and educate them, the doctors, the corpsmen and the nurses on how to treat PTSD and ask the soldiers to identify signs and symptoms of it with mild TBI, traumatic brain injury, to reinforce the collective responsibility

to take care of each other. All of us must work together to ensure our troops, who have given so much, are taken care of. And at home, our economy, as pointed out by my colleague, Mrs. CAPPS, has caused struggle. So have our minds. The recession has taken a toll on our families. Economic uncertainty is causing stress, anxiety and depression. The worrying about losing their homes or their jobs, worrying about the children and the retirement, if they are going to be able to retire or has their retirement fund gone somewhere.

It affects not only the quality of life but also our U.S. economy. Major depression is the leading cause of disability in the United States. The National Institute of Mental Health reports that serious mental illness costs the Nation at least \$139 billion a year in lost earnings alone. So we must continue to have businesses know that including them in the health provision of services will help them be able to cut down on lost productivity in other areas. Again we must remove the stigma. We must remove the barrier to knowledge and bring more awareness and increase mental health services. Again, early detection and intervention and assistance is key.

I encourage all my colleagues to support House Resolution 437 to recognize May as Mental Health Month. We all know of someone who suffers from some kind of debilitating disorder. Even women with breast cancer; knowing that they have an issue with cancer is disabling. We must recognize also scientific facts and findings, increase awareness of services and how it affects the quality of life, the health and well-being of our communities and our economic stability. Let's work together to improve our lives and ask for support of House Resolution 437.

Mr. TERRY. We greatly appreciate the gentlelady from California's comments. And it was very striking that out of the age group of ninth-grade to eleventh-grade young ladies in that demographic that one in three would contemplate suicide. That is just stunning.

The Energy and Commerce Committee has a real asset on mental health as well as an advocate for treatment, awareness and education in the gentleman from Pennsylvania who is our resident psychologist on the committee. We use him a great deal.

And I would yield as much time as he may consume to the gentleman from Pennsylvania (Mr. TIM MURPHY).

Mr. TIM MURPHY of Pennsylvania. I thank the gentleman from Nebraska. And, Mr. Speaker, I also want to thank my friend and colleague from California, GRACE NAPOLITANO, who has been a great advocate. And I'm pleased to serve with her as leaders on the Mental Health Caucus. Her passion for working to bring awareness to our Nation and more treatment to those with mental illness is truly commendable and admirable.

With 57 million people in this country suffering from mental illness, it is

no small problem. With one in five children and adolescents, with somewhere between 17 percent to 24 percent of our returning soldiers affected with mental illness, it is of great concern to us. Unfortunately, the problem that so often comes up with mental illness is not that it is not diagnosable, for it is. It is not that it is not treatable, for it is very treatable. The problem is for so many, the chosen treatment and approach to mental illness is denial. What we do is we deny its significance, we deny its existence, and therefore we deny the treatment to so many.

In some ways, we have not advanced beyond those Puritanical days of the Salem witch trials, where prejudice haunts the ability to get help, so people who have need of mental health treatment avoid it, families are not supportive of it, employers oftentimes will dismiss employees without understanding what it is, and quite frankly even here in Congress people have an awareness that is, well, dated, to say the least, when we do not understand that the way we need to approach mental illness is to vigorously approach it and treat it.

In the workplace, when mental illness is something that is part of someone's treatment insurance plan, we find that it actually saves money for employers because those employees get back to work. When we find that employees are denied mental illness treatment, and may I also add Medicare for the longest time also did not cover mental illness treatment, we find people worse. People who have chronic illness have twice the risk of mental illness. People with chronic illness, which is 75 percent of our health care cost, have twice the risk of mental illness. And yet for many years, Medicaid didn't cover it, and many insurance plans still do not. When you have a chronic illness and you have mental illness combined together, the health care costs double. They double. And it is important that we treat this with all of the tools possible.

Unfortunately, many times mental illness is treated only by pharmaceutical approaches. Some 75 percent of mental illness drugs are prescribed by nonpsychiatrists. That is unfortunate because I'm sure that many heart surgeons with their cardiac patients would not be very happy if noncardiologists treated the heart patients. And it goes on. But unfortunately when insurance plans do not pay for it, that is the only recourse.

There is one particular group of folks suffering from mental illness that have been mentioned a couple of times here, and that is our returning veterans from Iraq. Initial studies have suggested that some 17 percent of combat veterans may suffer from post-traumatic stress disorder. More recent studies suggest that of those who are coming back who actually experienced combat, those numbers may be as high as 24 to 25 percent. The military has made remarkable advances in dealing with sui-

cide and depression and post-traumatic stress disorder in our returning soldiers, and with good reason. Right now, more soldiers die from suicide than from combat. It is also something that is contributing to those soldiers who have returned who have some mental health problems may actually engage in highly risky behavior, driving fast, more drinking and more drugs, which leads to further problems for families and more undetected mental illness.

The Navy, for example, has established programs where they actually send teams of Navy psychologists and sociology workers out to see where they can return with the veterans and work with them while they are onboard ship, helping to identify problems, screen them and get them involved with the help they need. The Army is also advancing in this, as the Marines and the Air Force, and that is good, because over the last couple of centuries in our country, if you look at the pictures, the photographs, the drawings and the paintings of our military, the ships have changed, the uniforms have changed, the guns have changed and the weapons have changed. But the soldiers have remained the same. Over the last century, we referred to such things as "combat fatigue" or "battle fatigue." And for the longest time, soldiers were treated with "three hots and a cot" as a method of treatment. But now we are recognizing that teams of mental health professionals in the theater of combat are very helpful.

Recently the combat stress center in Iraq at Camp Liberty came literally under some fire, however, when one person they were treating allegedly walked into this combat stress facility and opened fire. He had had his weapons taken away, but then on his way back after he was dismissed from there and told to come back later, he took someone's gun, came back and opened fire. Two therapists and three people waiting for care were all killed. It is worth noting that one of those people waiting for care stood up and tried to stop him from killing others, and that person was killed in the process. So even in the course of trying to get some help, we have somebody who stood as the hero.

I had mentioned early on that denial is a huge problem, and it is important that all of us understand post-traumatic stress disorder and acute anxiety disorders in our returning veterans. Because whether you are a family member, you are a friend or you are a member of the American Legion or the VFW, it is the responsibility of all of us to look out for these returning citizens and help them get the help they need.

Watch for these symptoms:

Recurrent and intrusive distressing recollections of an event, including images, thoughts and perceptions such as seeing a comrade's dead body or experiencing flashbacks of the sounds of explosions and screaming;

Recurrent and distressing nightmares of the traumatic event;

Intense psychological distress when exposed to cues or reminders of any aspect of the trauma, such as the backfiring of a car or an explosion that could set someone off again;

Extreme physical reactivity, such as racing pulse, sweating, and intense fear, when exposed to any cues or reminders of the trauma. This could even be set off in Vietnam veterans or World War II veterans when they watch a program or a movie on television;

Persistent avoidance of any reminder, not wanting to talk about it, avoiding any thoughts, activities, places or people, of the traumatic event;

A general numbing in responsiveness, such as the person feels detached and estranged from others and may have little range in emotion and few strong feelings. Oftentimes this is a concern raised by spouses when their spouse returns home from combat, and they say he or she is just not the same anymore. The emotions are blunted. They have less ability to show the depth of emotions, less interest in the children.

They may also have a sense of a foreshortened future; having come close to death, they may see their own death and problem as imminent and may engage in more risky behavior.

They may have hypervigilance. They may be constantly scanning the environment for danger, even when there are no problems. They may be driving along the highway, if they were perhaps the driver of a Hummer in Iraq, they may be constantly scanning the road to see, are there problems ahead?

They may have an exaggerated startle response, especially to sudden movement or loud noises. They may have poor concentration, irritability and anger. And anger is an important symptom that we need to pay attention to for depression and anxiety disorders and post-traumatic stress disorder for veterans. And of course they may have disturbances in one's ability to sleep.

Many times the veteran will work towards self-medicating, alcohol and drugs, and, of course, keep that quiet from others too. They may find themselves not sleeping at night but having a job where they sleep a lot during the day so they can hide this from others.

But what is so important, as I said in the outset, is that denial is not appropriate treatment, and that the rest of us do not get engaged in denial too. It is absolutely essential that we support our returning veterans no matter what. Regardless of someone's political views, we need to stifle our own comments and understand they were doing what we asked them to do. They were following orders.

□ 1215

And, quite frankly, they were doing it pretty darn well. And they accomplished their mission, and we're happy to see them returning home.

But, that being said, the silent battle that our veterans continue to fight,

that invisible, silent battle that goes on inside their own heart and in their own mind is something that we need to be reaching out and paying attention to. And as we look at Mental Health Month, as we have just come back from Memorial Day, as we continue to see the yellow ribbons fly from trees and posts in every hometown of America as our soldiers return home, as we continue to send our notes and our e-mails and our care packages to our veterans, let us remember that we must continue to reach out for the veteran who has borne the battle, for their orphans and for their spouses and for those persons who have come back with that silent problem of the posttraumatic stress disorder and other disorders. We will work with them. We will help them. And God bless our veterans. And again, I thank the sponsor for this bill on Mental Health Month.

Mr. TERRY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania (Mr. TIM MURPHY) may control the balance of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mrs. CAPPS. Mr. Speaker, it is with great honor that I now yield as much time as he may consume to our colleague from Rhode Island, PATRICK KENNEDY, who has championed this issue for as long as he has been a Member of Congress and really made us very much aware of the need, and then the passing of the resolution for the legislation for mental health parity. And I now yield time.

Mr. KENNEDY. Mr. Speaker, I would like to thank the gentlelady from California (Mrs. CAPPS). Thank you for all your good work on health care. As a former nurse, you know full well of the challenges of making sure that we have adequate supply of providers and how important it is for us to address the needs of those with mental illness by making sure that there are enough providers out there who are adequately educated in the field of mental illness. And I appreciate your cosponsorship on the Child Work Force Reduction Act, which will address the need of bringing in more child and adolescent mental health workers into the workforce field to deal with children and adolescents who need mental health care, because right now we're at a critical stage in this country with respect to the need for our children to gain access to providers willing to take care of those special needs that children have in the area of mental health. And nurses and doctors are in great need for those reasons. And LOIS CAPPS has been really one of the champions in the area of trying to provide greater numbers of nurses and professionals who can take on the enormous challenges ahead.

In addition to that, Mrs. CAPPS, you've been very helpful in recognizing the enormous boom that's going to happen with our aging population. We're going to have a baby boom gen-

eration that's going to become a senior boom generation, where so many of our baby boomers are going to be elder boomers. They're going to be elderly, and the demand for new nurses is going to be extraordinary. And we don't have, right now, the necessary populations of nurses to deal with that.

Many people write off senior citizens' dementia, if you will, as part of growing older. They say, Oh, Grandma. Well, that's Grandma. That's the way they are when they're nonresponsive.

Well, frankly, I certainly don't want to be treated that way when I grow old, and I dare say anybody watching this doesn't want to be treated that way when they grow old. And the fact of the matter is, for most older people, it isn't dementia that leaves them isolated and with their heads down; it's depression. It's depression. And who wouldn't be depressed if you're a senior citizen and you've lost your life mate after over 40 years of marriage, if you've had to pick up and sell your house because you've no longer been able to afford it any longer, if your children and grandchildren are scattered all across the country and very rarely visit you any longer, if now you're confined to an elderly-only high rise. I would imagine that would be pretty depressing for a lot of elderly people, and for many of them, it is depressing. And so we are working on the Positive Aging Act, which will address the needs of our senior centers and the needs of our seniors with regards to that.

But I also want to acknowledge my good friend and colleague, GRACE NAPOLITANO, who has been so wonderful in her efforts to lead the charge of the Mental Health Caucus. And GRACE NAPOLITANO has been a terrific champion for making sure that our young people are also included in on these issues of mental health because she has seen in her own neighborhoods, that we may talk about war overseas and the posttraumatic stress that our veterans suffer when they go into harm's way, and they come back and they're suffering from reconciling all this violence to the new world they're coming back to, and they have to readjust to the main life of everybody else, and they have to somehow come home, and a lot of them suffer from PTSD. Well, you can imagine, these are adults. These are fighting men and women, the men and women of our Armed Forces, and they have adult coping mechanisms. And even adults, with adult coping mechanisms, have posttraumatic stress disorder.

So imagine what a child is facing in a barrio in East Los Angeles, or in a borough in Upper Manhattan, or a neighborhood in South Providence, or Pawtucket, Rhode Island, imagine the coping mechanisms that the children are going to need to have in those areas when they see violence in their own hometowns. In a very real way, they are suffering from posttraumatic stress, while not even having to go

overseas to go see a war because the war that they are seeing is in their own backyard. They are seeing gunshots in their own backyard on a regular basis.

We have 36,000 people killed by firearms in this country every year, a far cry from the number of people that have been killed in action over in Iraq.

You know, this is a situation where it's not a small wonder that there are so many kids in this country who are acting out and who are having trouble with their own mental health needs and posttraumatic stress.

So, Mr. Speaker, we have a lot to do with addressing the mental health needs of our people, both seniors and children and, of course, those who suffer from serious mental illnesses at the same time.

So this is Mental Health Week. We need to raise awareness of mental health. And the most crucial part of destigmatizing mental health is for people to go online to any of the National Institutes of Health, National Institute on Drug Abuse, National Institute of Mental Health and so forth, National Institute on Alcoholism, and look up the studies, because you will see the biochemical makeup and breakdown of the brain and how it operates differently for those who are at high risk of being alcoholics, or at high risk of having a propensity to have a bipolar disorder or not, or having depression, or those people who may have other diagnosable mental disorders. It's quite striking that what you'll see in these videos that are a result of these MRIs, these new x-rays of the brain, that you cannot dismiss the notion that mental illnesses are physical illnesses. And we know that for a fact, because if you simply give people who were in total depression before certain medications, it's amazing how they blossom in their abilities to now live more functional lives after they've taken the medications.

So why we would ever treat the brain unlike any other organ in the body is beyond me. The brain is an organ in the body just like every other organ of the body. But unfortunately, in this country, in our health care system it's treated as if it's something separate.

What we need to do in health care reform is make sure the brain is treated holistically, as part of the body. And in any health care reform, it's got to be reimbursed holistically in terms of the rest of the health care package.

I thank Representative NAPOLITANO for introducing this resolution in support of the goals and ideals of Mental Health Month. I rise today to speak to those goals, and the need to integrate them into health care reform.

According to the Institute of Medicine, together, mental and substance-use illnesses are the leading cause of combined death and disability for women of all ages and for men aged 15–44, and the second highest for all men. When appropriately treated, individuals with these conditions can recover and lead satisfying and productive lives. Conversely, when treatment is not provided or is of poor quality, these conditions can have serious

consequences for individuals, their loved ones, their workplaces, and the nation as a whole. Tragically, individuals with serious mental illness have a life expectancy of 25 years less than the general population.

The World Health Organization defines health as “a state of complete physical, mental and social well-being, and not merely the absence of disease or infirmity.” As we work to reform and reincentivize our health care system, we must ensure that it is a whole-body initiative, recognizing that mental health is integral to overall health, and that optimal overall health cannot be achieved without this.

With this in mind, we must diligently work to ensure that when crafting health care reform, we create a health care system that treats the whole person. Health care reform policy should support and encourage practices that fully integrate mental health into primary care. All providers, and in particular primary care doctors, must be trained and adequately reimbursed, for providing comprehensive and coordinated care—care that approaches health as a whole body initiative. Primary care physicians must be given the resources needed to adequately address the mental health needs of their patients. Innovations, like medical homes, are working to improve quality and contain cost, but the primary care workforce is not sufficient to meet the country's needs.

Over the last two decades, fewer medical students are choosing primary care for a number of reasons, including reimbursement issues. Payment policies do not adequately compensate doctors for the time it takes to coordinate care, provide case management, or address mental health and substance abuse issues in the primary care visit. Specialty providers and other physicians must likewise have training on mental health and substance abuse problems and be trained to provide collaborative care and case management, and be reimbursed accordingly.

For the 45.7 million Americans without health insurance (a number which has grown due to the recent economic downturn), we must create an affordable, quality health care system in which all Americans are covered. Providing coverage alone, as it exists now, is not a solution onto itself however. The coverage we provide for all Americans must include the full spectrum of evidenced-based mental health care, including both treatment and prevention services. Mental health coverage should not be subject to restrictive or prohibitive limits when formulating coverage determinations on the frequency or duration of treatment, cost-sharing requirements, access to providers and specialists, range of covered services, life-time caps, and reimbursement practices.

The expansion of insurance coverage is not the same as ensuring access. Lack of insurance is only one of the many barriers to care for those seeking mental health services. Those with coverage also face financial barriers to care due to prohibitive cost sharing requirements, limited access to providers, and denials of coverage for mental health conditions. Once all Americans have health insurance, coverage must provide for access to affordable, high quality care. Current barriers to care within the health insurance system must be eliminated, and mental health coverage must include access to the full spectrum of evidenced-based care for both prevention and treatment of mental health conditions. This in-

cludes, but is not limited to, access to and choice of doctors who approach health as a whole body initiative.

Other reform measures necessary to create a system best posed to treat the health of the whole body include: instituting rules for standardized payments; ensuring that clinical necessity is the determinant of patient care; replacing underwriting with a “community rating” system that would set premiums based on age and location instead of health status of the individual; requiring that any denials of coverage be transparent and subject to a meaningful and independent review process; promoting and incentivizing mental health prevention programs; integrating mental health consumers and providers in emerging health information technology systems; requiring the regular use of standardized, objective and uniformly applied clinical outcome measures; and improving coordination among social service sectors.

Further, in order to truly achieve the above stated principles, we need health care reform that addresses the underlying, systemic issues in our current system. We are the only industrialized country that treats health care like a market commodity instead of a social service. Thus, care is not distributed according to medical need but rather according to ability to pay. Cost savings cannot be discussed without acknowledging that 31 percent of all health care expenditures in the U.S. are administrative costs. The average overhead for private insurance in this country is 26 percent, compared to 3 percent for Medicare. The majority of doctors and Americans support a single-payer health care system, yet this option has been dismissed by many policymakers as unrealistic. As elected Representatives of this democratic system, we are responsible for representing the views of the public. Therefore, it is imperative that we keep this option in the discussion of health care reform.

I hope to work together with my colleagues to institute these critical changes to our nation's health care system. The American people deserve nothing less.

Mr. TIM MURPHY of Pennsylvania. Mr. Speaker, I would just like to add a few more comments here. We have no more speakers, and I'll close with that. But it has to do with this.

As I discuss the issues of our returning soldiers, it is important I add this element too, and that is that we need to reflect to them a tremendous sense of hope. Many times soldiers in theater and after they return home are hesitant to talk with anybody about their symptoms for two fears: one, if they're in theater or combat, they worry that it will prevent them from going back to their unit. If their deployment is ending, they are worried that it will delay them from coming home; and they also are concerned that it will affect their promotion, their advancement, their continuation in the military, and they don't want to let their fellow soldiers down or themselves.

What our military is working on, however, is making sure they understand that our duty as mental health professionals is to make sure they're back to full form, and, in fact, that is something that's a change of how the military has handled this. Whereas, in the past someone would be pulled out

of their unit if they could, now the work is to get them back on their feet as fast as possible, but making sure they're not adding risk to their fellow soldiers.

Along those lines, it's important we send the same message of hope, whether it is someone who is a veteran in battle, or perhaps a veteran, as my friend from Rhode Island just pointed out, someone who has faced the same sort of problems in their neighborhood.

There are also genetic aspects of mental illness that may have very little to do with environment. There are parts that have to do with other neurological problems that occur.

Overall, our advance in the mental health field has grown tremendously. It may be that you cannot necessarily do a CT scan or a x ray or a blood test to diagnose mental illness, but it is diagnosable. It is treatable. And we have to make sure that part of this resolution for Mental Health Month and the goals and ideals is to help our Nation understand that it is diagnosable, it is treatable. We need to come to grips with it and deal with this in a way that understands that the science and the technology and the medicine behind mental health treatment gives a lot of hope for the future.

And with that, Mr. Speaker, I yield back the balance of my time.

Mrs. CAPPS. For all the reasons that have been cited by the many speakers, and in strong support of House Resolution 437, I urge my colleagues to support this resolution.

Mr. PAUL. Mr. Speaker, I certainly support efforts aimed at removing the stigma associated with mental health, increasing public awareness of the need to support those with mental health problems and their families, and the other goals of Mental Health Month. However, I am concerned that certain language in H. Res. 437 appears to endorse all of the recommendations of the New Freedom Commission on Mental Health, even though certain of the commission's recommendations threaten individual liberty and the wellbeing of American children.

In particular, the commission recommended that the federal and state governments work toward the implementation of a comprehensive system of mental-health screening for all Americans. The commission recommends that universal or mandatory mental-health screening first be implemented in public schools as a prelude to expanding it to the general public. However, neither the commission's report nor any related mental-health screening proposal requires parental consent before a child is subjected to mental-health screening. Federally-funded universal or mandatory mental-health screening in schools without parental consent could lead to labeling more children as "ADD" or "hyperactive" and thus force more children to take psychotropic drugs, such as Ritalin, against their parents' wishes.

Already, too many children are suffering from being prescribed psychotropic drugs for nothing more than children's typical rambunctious behavior. According to Medco Health Solutions, more than 2.2 million children are receiving more than one psychotropic drug at one time. In fact, according to Medco Trends,

in 2003, total spending on psychiatric drugs for children exceeded spending on antibiotics or asthma medication.

Many children have suffered harmful side effects from using psychotropic drugs. Some of the possible side effects include mania, violence, dependence, and weight gain. Yet, parents are already being threatened with child abuse charges if they resist efforts to drug their children. Imagine how much easier it will be to drug children against their parents' wishes if a federally-funded mental-health screener makes the recommendation.

Universal or mandatory mental-health screening could also provide a justification for stigmatizing children from families that support traditional values. Even the authors of mental-health diagnosis manuals admit that mental-health diagnoses are subjective and based on social constructions. Therefore, it is all too easy for a psychiatrist to label a person's disagreement with the psychiatrist's political beliefs a mental disorder. For example, a federally-funded school violence prevention program lists "intolerance" as a mental problem that may lead to school violence. Because "intolerance" is often a code word for believing in traditional values, children who share their parents' values could be labeled as having mental problems and a risk of causing violence. If the mandatory mental-health screening program applies to adults, everyone who believes in traditional values could have his or her beliefs stigmatized as a sign of a mental disorder. Taxpayer dollars should not support programs that may label those who adhere to traditional values as having a "mental disorder."

In order to protect America's children from being subject to "universal mental screening" I have introduced the Parental Consent Act (H.R. 2218). This bill forbids federal funds from being used for any universal or mandatory mental-health screening of students without the express, written, voluntary, informed consent of their parents or legal guardians. H.R. 2218 protects the fundamental right of parents to direct and control the upbringing and education of their children.

Ms. WATERS. Mr. Speaker, I rise in support of House Resolution 437, providing full support of the goals and ideals of Mental Health Month, which is recognized annually in May. I commend my colleague, and fellow Californian Rep. NAPOLITANO, for acknowledging the importance of this measure and presenting it before the House.

The first Mental Health Act was signed in 1946 after it had been determined that soldiers who fought in World War II had returned with severe mental health issues. Still today a significant portion of individuals who suffer from mental illness are troops who suffer from depression and post-traumatic stress. Shortly after the act was signed the first Mental Health Week was developed. Eventually Mental Health Week evolved into the Mental Health Month program that we are celebrating today.

Legislation regarding mental health has been developed in the past to prevent health care discrimination. Patients experienced grave inequalities because mental health was not considered a legitimate issue, as too often mental health is viewed as a minuscule issue in comparison to physical health. Many people may not know that more than 57,000,000 individuals in the United States suffer from mental illness and H. Res 437 will not only raise

awareness of mental health conditions but also aid citizens in their ability to combat stress to promote a healthy lifestyle.

Unfortunately, every year mental health illnesses go unrecognized and untreated, and Mental Health Month was developed in an effort to prevent such circumstances. This May, Mental Health America has promoted a National Children's Mental Health Awareness Day, to educate the general public about the realities of mental health. Mental health illnesses affect all age ranges, and House Resolution 437 lends its full support for communities to promote positive youth development, and help families cope during times of hardship. The United States Department of Health and Human Services utilizes necessary funds and manpower to advocate for the rights and services of mental health patients. It will continue to provide Family and Community Support Programs to aid those adults and children with serious mental illnesses.

Mr. Speaker, this measure is particularly important to the well-being of our citizens and I'm pleased to add my voice in support for this legislation. I will work diligently with my colleagues to ensure that the goals and ideals of Mental Health Month are recognized as notable issues. This is a significant step in raising awareness, and promoting healthy families and communities.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of House Resolution 437 which recognizes the goals and ideals of mental health month.

Mental health issues affect many members of the population, altering their lives and the lives of their families. Over 57 million American citizens suffer from mental illness, and it is one of the leading causes of disability in our nation. In addition, people who suffer from serious mental illnesses die on average 25 years earlier than the general population, many of them from diseases that could be treated if diagnosed early.

Approximately 6.7 percent of the population is affected by Major Depressive Disorder, and more than 90 percent of people who commit suicide suffer from a depressive disorder before they take their lives. Post Traumatic Stress Disorder has become one of the most serious mental health illnesses, with over a quarter of all U.S. troops suffering from the disorder. H. Res. 437 stresses a desire on the part of either those suffering from mental illness, or the families of those suffering, to seek help.

As a registered nurse, I have seen firsthand the affects that mental illness has on individuals and their families, and I understand fully the importance of maintaining and advocating for mental health. This is an issue that affects many of us in some way, and we need to ensure that there is no stigma attached to mental illness so that those suffering can and will get the help they need. I ask my fellow colleagues to join me in recognizing the goals and ideals of Mental Health Month and supporting this Resolution in order to raise awareness for mental health issues.

Mrs. CAPPS. I yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the resolution, H. Res. 437, as amended.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

□ 1230

PROVIDING FOR CONSIDERATION OF H.R. 31, LUMBEE RECOGNITION ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1385, THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT OF 2009

Mr. CARDOZA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 490 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 490

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 31) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions of the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1385) to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be

considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from California (Mr. CARDOZA) is recognized for 1 hour.

Mr. CARDOZA. Thank you, Mr. Speaker.

For the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of the rule today is for debate only.

GENERAL LEAVE

Mr. CARDOZA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on House Resolution 490.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARDOZA. I yield myself such time as I may consume.

Mr. Speaker, House Resolution 490 provides for consideration of H.R. 31, the Lumbee Recognition Act, under a closed rule, and also for separate consideration of H.R. 1385, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009, under a structured rule. Both bills are debatable for 1 hour, each equally divided and controlled by the chairman and ranking member of the Committee on Natural Resources. The rule for H.R. 1385 makes in order two amendments listed in the Rules Committee report. Each amendment is debatable for 10 minutes. The rule also provides for a motion to recommit with or without instructions on both bills.

Mr. Speaker, the two bills before us today will right several wrongs in our country's history and bring closure to the issue of full Federal recognition of the Lumbee Indians of North Carolina and six Indian tribes in Virginia.

Since the late 1800s, the Lumbee Tribe has been seeking Federal recognition despite the fact that congressional hearings and the Department of the Interior's studies have consistently concluded that the Lumbees are a distinct, self-governing Indian community. In fact, the Lumbees were first recognized as a tribe in 1885 by their home State of North Carolina. In that time, however, various bills to recog-

nize the tribe failed due to opposition from the Department of the Interior.

Most importantly, in 1956, Congress formally acknowledged the Lumbee Tribe with passage of the Lumbee Act. However, it was passed during a period of Federal Indian policy known as the Termination Era. As such, while Congress acknowledged the Lumbee, it effectively ended its relationship with the tribe at the same time by denying them access to the benefits and privileges that accompany Federal recognition.

This termination has subsequently prevented the Lumbees from receiving recognition from the Department of the Interior which has maintained that only Congress can restore that relationship.

A similar injustice has occurred in Virginia. Records exist documenting a relationship between the six Indian tribes, local governments, and the Commonwealth of Virginia for centuries. It has long been established that ancestors of these six tribes resided in Virginia when the first white settlers landed in Jamestown, yet their history is fraught with deliberate discrimination and document destruction.

During the Civil War, most local records and tribal documentation were destroyed in fires at government buildings. At that time, many Indians began adopting Anglo-American names, language, and customs to conceal their tribal identity and ensure their survival.

In addition, Virginia's 1924 Racial Integrity Act—pushed by a noted white supremacist—was responsible for the deliberate and systematic destruction of over 46 years of any records that traced and recorded the existence of vast Indian tribes.

The Department of the Interior has generally not questioned the tribes' ancestry or tribal government status. But despite the wealth of documentation that exists for each tribe, it is not clear whether they could obtain proper documentation to be acknowledged by the Bureau of Indian Affairs. I would add that each of these six tribes was recognized by the Commonwealth of Virginia between 1983 and 1989.

Mr. Speaker, the circumstances surrounding all of these tribes are certainly unique and warrant special attention by Congress. Congress has passed bills recognizing all of these tribes several times, including last session. The Lumbee bill passed with strong bipartisan support while the Virginia Tribes bill passed by voice vote.

I ask my colleagues on both sides of the aisle to once again support these long-overdue bills.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. First, let me say how great it is to see you in the Chair, Mr.

Speaker. I would like to express my appreciation to my good friend from California, my colleague, Mr. CARDOZA, for yielding me the customary 30 minutes.

Mr. Speaker, this rule actually provides for the consideration of two problematic bills—H.R. 1385, which would extend recognition to six Indian tribes in the Commonwealth of Virginia; and H.R. 31, which would extend recognition to the Lumbee Tribe in the State of North Carolina. Both adopt an arbitrary and inconsistent recognition process that threatens those tribes who are already Federally recognized and upends the process for future applicants. And this rule provides for an even more problematic process.

The issue of tribe recognition—like all matters before Congress—demands clarity, fairness and transparency. The two underlying bills, unfortunately, deliver just the opposite. H.R. 1385 would extend recognition to six Virginia tribes rather than requiring that they go through the normal Federal recognition process at the Bureau of Indian Affairs.

These tribes have sought legislative action because they lack the proper documentation to complete the regular administrative process. This is due to the fact—and it was correctly pointed out by my California colleague—that they've been victims of targeted attacks in the past which resulted in the destruction of many of the very important historical documents that would have been necessary. This is a reminder, Mr. Speaker, of a very, very ugly chapter in our Nation's history, and Congress should work very carefully to address this issue.

While the situation of the Virginia tribes is difficult—and I recognize that—for the reasons I just stated, we need to consider the overall fairness of our actions. For instance, there are currently nine other tribes, nine other tribes that have fully completed their application processes and are awaiting final determinations. They have done their due diligence and deserve to have their cases addressed in the proper order. While the six tribes covered in H.R. 1385 may deserve special dispensation from the normal BIA process, questions have been raised regarding the fairness of penalizing the nine other tribes who fully completed the process and are patiently waiting in line for the determination.

The process serves a purpose: ensuring that tribal determination is fair, consistent and fully vetted. We need to think very, very carefully, Mr. Speaker, before upending that regime.

H.R. 31 is even more controversial, not least because the price tag comes to \$786 million—or, Mr. Speaker, I should say “at least” \$786 million. We know that an enactment of this bill would cost, again, at least three-quarters of a billion dollars. And I say “billion” because I know the word “trillion” is used more frequently around here tragically these days. But it would be very, very, very costly. It

could balloon to an even larger level of funding.

At issue is conflicting membership estimates of the Lumbee Tribe. The Interior Department estimates it at 40,000; the tribe itself estimates it at about 55,000, a difference of nearly 40 percent. But what's more, local North Carolina media have reported that some in the tribe intend to expand its membership once this bill is enacted. They're waiting for Federal recognition and then want to increase their numbers, expanding the cost of this bill even further and pulling resources away from the long-recognized tribes.

Now, Mr. Speaker, the Lumbee Tribe, just like any other Indian tribe, should obtain Federal recognition on its merits. It may indeed deserve recognition. However, the merits are still far from clear. The last several administrations have opposed their application. The Obama administration has reversed course, but it has not offered any explanation as to why. In fact, the administration does not yet have its appointees in place at the Interior Department to even articulate their reasoning.

Mr. Speaker, Congress must fully vet all of these issues and act in a clear, comprehensive way that eliminates the current confusion and restores clarity and certainty. And yet inexplicably, the rule which we're debating right now curtails the ability of Members, Republican and Democratic Members, to offer their amendments so that a comprehensive consensus solution could, in fact, be reached.

Rather than an open process which would have allowed the House to address many of these issues, the rule for the Lumbee Tribe bill is a closed rule, despite submission of the very thoughtful amendment by Mr. SHULER. It is, in fact, a bipartisan amendment. He should be allowed to bring his alternative before the House for an up-or-down vote. It's very sad that I have to stand here as a minority Member fighting for the rights of a majority Member of this institution.

Similarly, Madam Speaker, the ranking member of the Agriculture Committee, our friend from Roanoke, Virginia, (Mr. GOODLATTE) asked for an open amendment process on the Virginia bill. While two of his amendments were made in order, an open process would have allowed him to offer all of his amendments and permitted all Members to participate.

Madam Speaker, these bills have problems but this rule has a bigger problem. As happens all too often in this Democratic majority, this debate will be closed rather than open, and Members will be shut out of the process.

So I urge my colleagues to oppose the rule. We can address these very, very important issues in a more fair and balanced way.

□ 1245

With that, I reserve the balance of my time.

Mr. CARDOZA. Madam Speaker, I'd like to inquire from my friend and colleague from California if he has any further speakers.

Mr. DREIER. Would the gentleman yield?

Mr. CARDOZA. I would yield.

Mr. DREIER. I thank my friend for yielding, and, Madam Speaker, I will inform my friend that there are no other requests for time on our side of the aisle. At this juncture, I will encourage my colleagues to oppose this rule, and I yield back the balance of my time.

Mr. CARDOZA. Madam Speaker, I very much appreciate my colleague from California, and I understand that he has concerns about this process and these measures.

I would just like to remind the entire body that the Lumbee bill has, in fact, been before the Congress before. This Congress has acted on it. Despite the claims to the contrary, Congress has traditionally taken the lead in recognizing Indian tribes. In fact, Congress has recognized 530 of the 561 Federally recognized tribes.

Despite the fact that the Department of the Interior established certain administrative procedures in 1978, Congress has stepped in and recognized tribes nine additional times due to extraordinary circumstances, much like this.

I think that this is an appropriate rule, and I think we will have an opportunity to debate the issues during the debate time that has been allotted.

I would ask my colleagues to support the rule, and I urge Members on both sides of the aisle to once again take an important step forward in correcting hundreds of years of injustice which are long overdue.

Madam Speaker, I urge a “yes” vote on the rule and on the previous question.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mrs. TAUSCHER). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 174, not voting 28, as follows:

[Roll No. 295]

YEAS—231

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|-------------|-------------|-------------|
| Abercrombie | Berry | Butterfield |
| Ackerman | Bishop (GA) | Capps |
| Aderholt | Bishop (NY) | Capuano |
| Adler (NJ) | Blumenauer | Cardoza |
| Andrews | Bocieri | Carnahan |
| Arcuri | Boren | Carney |
| Baca | Boswell | Carson (IN) |
| Baird | Boucher | Castor (FL) |
| Baldwin | Boyd | Chandler |
| Barrow | Brady (PA) | Childers |
| Berkley | Braley (IA) | Clarke |
| Berman | Bright | Clay |

Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Green, Al
Green, Gene
Grijalva
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseeth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kagen

NAYS—174

Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bigert
Bilbray
Bilirakis
Blackburn
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao

Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lujan
Lynch
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeke (NY)
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murtha
Nadler (NY)
Napitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascarell
Pastor (AZ)
Payne
Perlmutter

Perriello
Peters
Peterson
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skeltton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Sutton
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Yarmuth

LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Murphy, Tim
Myrick

Bean
Becerra
Bishop (UT)
Blunt
Broun (GA)
Brown, Corrine
Davis (IL)
Davis (TN)
Dingell
Engel

Neugebauer
Nunes
Olson
Paul
Paulsen
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Sensenbrenner
Sessions

NOT VOTING—28

Grayson
Gutierrez
Johnson, Sam
Kennedy
Lowey
McMorris
Rodgers
Melancon
Pence
Pingree (ME)

□ 1309

Mr. YOUNG of Alaska changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. LOWEY. Madam Speaker, I regrettably missed rollcall vote No. 295 on June 2, 2009. Had I been present, I would have voted “yea.”

Mr. PENCE. Madam Speaker, I was unavoidably detained and missed rollcall vote No. 295 on passage of H. Res. 490. Had I been present, I would have voted “nay.”

Mrs. McMORRIS RODGERS.

Madam Speaker, on rollcall No. 295 I was unavoidably detained. Had I been present, I would have voted “nay.”

Mr. WESTMORELAND. Madam Speaker, on rollcall No. 295 I was unavoidably detained. Had I been present, I would have voted “nay.”

GENERAL LEAVE

Mr. RAHALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 1385.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

THOMASINA E. JORDAN INDIAN TRIBES OF VIRGINIA FEDERAL RECOGNITION ACT OF 2009

The SPEAKER pro tempore. Pursuant to House Resolution 490 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1385.

□ 1311

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1385) to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, with Mr. HOLDEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to rule, the bill is considered read the first time.

The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Thank you, Mr. Chairman. I yield myself such time as I may consume.

Mr. Chairman, we are here today, over 400 years after the first English settlers landed in what became Jamestown, Virginia, to finally acknowledge a government-to-government relationship with some of the Indian tribes who met those early settlers.

While the House passed a prior version of this legislation last Congress, the bill was not considered in the Senate, so we are here again.

H.R. 1385, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009, extends Federal recognition to the Virginia tribes that have lived in Virginia since before the settlers of Jamestown first arrived.

This bill is sponsored by our colleague, Representative JIM MORAN of Virginia, and enjoys bipartisan support, including from other Virginia colleagues, Congressman ROB WITTMAN, BOBBY SCOTT, THOMAS PERRIELLO, and GERRY CONNOLLY. I, too, am a cosponsor of H.R. 1385.

The bill is named for Thomasina “Red Hawk Woman” Jordan, whose lifelong pursuit of advancing Native American rights encompassed the promise of education for all Indians and securing Federal recognition of Virginia Indian tribes. Ms. Jordan also served as chairperson of the Virginia Council of Indians.

H.R. 1385 would extend Federal recognition status to six Indian tribes of Virginia. All six tribes have obtained State recognition by the State of Virginia. Former Virginia Governors George Allen and Mark Warner, as well as current Governor Tim Kaine have endorsed the tribes’ recognition as sovereign governments.

During his recent trip to England, President Obama presented Queen Elizabeth with an iPod. Included on the iPod was a copy of the 400th anniversary ceremony commemorating the establishment of Jamestown, Virginia, that she attended last year. The highlight of this ceremony included the Queen and the Virginia Indian tribes.

These six Virginia tribes have faced hundreds of years of discrimination, abuse, and outright attempts to extinguish their existence and rob them of their heritage.

From 1912 to 1947, Dr. Walter Plecker, a white supremacist, set out to rid the Commonwealth of Virginia of any documents that recorded the existence of Indians or Indian tribes living therein. He was instrumental in ensuring passage of the Racial Integrity Act in 1924, making it illegal for individuals to classify themselves or their newborn children as Indian.

□ 1315

But he went further than that and spent decades changing the race designation on birth certificates and on other legal documents from "Indian" to "Colored," "Negro" or "Free Issue." Throughout it all, the Virginia Indians did not break but held firm to their culture and to their identity.

To address claims that tribes are only interested in Federal recognition so they may conduct gaming, all six tribes supported an outright gaming prohibition to be included in this bill. This gaming prohibition precludes the Virginia tribes from engaging in, licensing or regulating gaming pursuant to the Indian Gaming Regulatory Act on their lands.

Congressman MORAN has spent several years tirelessly working to achieve Federal recognition for Virginia's First Americans. It is because of his tireless dedication to this issue that this legislation is before us today. It is time to put this issue to rest and to do the right thing by extending Federal recognition to these tribes. I urge all of my colleagues to join me today in creating a government-to-government relationship with these Virginia tribes.

I reserve the balance of my time.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 1385, but not for the reason for which this legislation is intended to point out or to create but, rather, for reasons that I will outline in my remarks here this morning.

In the last Congress, a nearly identical bill passed the House by voice vote. I do not expect to change anyone's mind, and I believe that the results will probably be the same as the last vote we had in the last Congress, but I must highlight serious shortcomings with this bill that should cause Members to reconsider their positions.

First, the House has not acquired sufficient evidence to justify extending Federal recognition to the six Virginia tribes identified in this bill. In the committee hearing on H.R. 1385, we heard a lot of testimony from witnesses for the six tribes, from the Governor of Virginia, from a historian, and from the Department of the Interior. All provided interesting and often passionate statements.

Although the Department provided no position on the bill, the Department's witnesses did remark that all six groups have petitioned for recognition with the Bureau of Indian Affairs, but none of the six tribes have completed the process within the Bureau of Indian Affairs.

If the Department lacks completely documented petitions, then how can we be sure that we in Congress have enough information about these six tribes?

None of the witnesses explained why the six Virginia tribes should be recognized before all of the other tribes whose recognition petitions are within and are lingering within the Bureau of Indian Affairs. About nine of these groups have completed their petitions. In this respect, Mr. Chairman, they are more prepared for a final determination than the Virginia tribes with which this bill deals.

H.R. 1385 contains ample lists of congressional findings about the history of these six groups, but there is no requirement to verify that members of these tribes can trace descendants to historic Virginia tribes. This is a basic standard that the House must observe if it wants to ensure the integrity of tribal recognition. If the House is not prepared to take additional time to study this, then we should ask the Secretary to study it and to provide us with the answers.

The committee held no field hearings in Virginia to learn more about the tribes on their home turf. It has relatively little information from county officials and from private individuals who might be interested in tribal recognition and what it means to them. This is a State without a history of recognized tribes, unless you reach back to the colonial era, and Virginia presently has no Indian trust lands. We simply do not know if there are any counties or private individuals in affected areas who fully understand that placing land in trust removes property from the tax rolls and from State and municipal jurisdictions.

On this note, the Rules Committee made in order an amendment by the gentleman from Virginia (Mr. GOODLATTE) to remove some counties from the bill. This suggests to me the majority is beginning to understand that counties in Virginia are just now becoming more informed on what this bill means.

So, Mr. Chairman, prudence dictates that we put this bill on hold until these issues are vetted. If the House recognizes new tribes and acquires lands in trust for them without thoroughly examining the views of the jurisdiction where the lands are located, we potentially risk creating local problems. This is going to hamper our efforts to resolve land-in-trust controversies occurring elsewhere in the United States.

Such controversies, Mr. Chairman, do occur. We have a huge one to deal with right now. In February, the Supreme Court, in *Carcieri v. Salazar*, held the

Department of the Interior has no authority to acquire lands in trust for any tribe recognized after 1934 unless there is a specific act of Congress authorizing it. This is a major decision that has, frankly, Mr. Chairman, shaken Indian Country, and it is a case that has caught the attention of Governors, attorneys general, and county leaders around the country. The committee has held one hearing on the subject, and I am hopeful that there will be more.

Virginia's tribes are directly affected by this decision because they were not recognized in 1934. Thus, anything done with H.R. 1385 could set a precedent for resolving the Carcieri issue. Under H.R. 1385, lands placed in trust for the Virginia tribes will be secure. Meanwhile, lands held in trust or proposed for trust status for others may not be secure. This kind of inconsistency in Federal Indian policy helped fuel the controversy that led to the Supreme Court's Carcieri in the first place.

If the solution to Carcieri is to deal with each and every post-1934 tribe's trust land application separately in Congress, then H.R. 1385 might be appropriate. If the solution is to provide the Secretary of the Interior with the appropriate authority to acquire lands in trust, then H.R. 1385 is not appropriate.

So, while the committee has held a hearing on Carcieri, there seems to be no consensus on how to resolve it. We have received no testimony from the Department, and none of the tribes, States or other concerned interests have had an opportunity to testify in the committee as of the time the report for H.R. 1385 was filed. It would be wise then, Mr. Chairman, to postpone floor action on any recognition bills until the committee acquires a better understanding of the impacts of Carcieri and what to do about it.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I recognize for 3 minutes the gentleman from Virginia, one of the cosponsors of the legislation, Mr. BOBBY SCOTT.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of H.R. 1385, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act. I want to thank my colleague from Virginia (Mr. MORAN) for, again, introducing this bill. Similar legislation passed this body by voice vote in the 110th Congress, but it was never acted on in the Senate.

Two years ago, Virginia and the Nation celebrated the 400th anniversary of the founding of Jamestown, Virginia, the first permanent English settlement in North America. Jamestown is the cornerstone of our great Republic, and its success relied heavily on the help of the indigenous people of Virginia. Virginia's Native Americans played a critical role in helping the first settlers of Jamestown survive the harsh conditions of the New World.

After the Jamestown colony weathered its first few years in the New World, the colony expanded, and the English pushed further inland, but the same Native Americans who helped those first settlers were coerced and were pushed from their land without compensation. Treaties, many of which precede our own Constitution, were often made in an effort to compensate the Virginia Native Americans, but as history has shown, these treaties were rarely honored or upheld.

Like many other Native Americans, the Virginia Indian tribes were marginalized from society. They were deprived of their land, prevented from getting an education, and they were denied a role in our society. Virginia's Native Americans were denied their fundamental human rights and were denied the very freedoms and liberties enshrined in our own Constitution.

Mr. Chairman, the bill will finally grant Federal recognition to the Chickahominy, to the Eastern Chickahominy, to the Upper Mattaponi, to the Rappahannock, to the Monacan Indian Nation, and to the Nansemond tribes. H.R. 1385 will ensure the rightful status of Virginia's tribes in our national history. Federal recognition will provide housing and educational opportunities for those who cannot afford it. Federal recognition will also promote the tribal economic development that will allow Virginia's tribes to become self-sufficient. These new opportunities will allow Virginia's tribes to flourish culturally and economically, which will lead to a brighter future for a whole new generation. The Virginia tribes have waited far too long for Federal recognition.

Again, I want to thank my colleague from Virginia (Mr. MORAN) for his excellent leadership on this important issue. I urge my colleagues to support the bill.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Virginia (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, I want to first thank the chairman and thank Mr. MORAN for the language that explicitly prohibits gambling. I appreciate that very much. I think the chairman and Mr. MORAN have to get the credit for doing this because, in previous cases, we have seen major, major expansions. So, as people talk about this, this is Earth-shattering in some respects, and so I want to again thank the chairman and thank Mr. MORAN.

The Virginia tribes have consistently indicated that they oppose gambling, and I believe them. Yet, during the consideration of this measure in the last Congress, we heard rumors about an interest in challenging this gambling limitation in court. We have not heard those rumors today.

The Virginia Indian tribes were the first to greet the settlers at Jamestown

when they arrived 400 years ago. Without the Indians' friendship, the Jamestown settlement very likely would not have survived. The Americans owe the Virginia tribes a huge debt of gratitude.

I also want to recognize the gentleman from Virginia for including language that explicitly forbids the establishment of tribal casinos. Current tribal leadership has consistently stated they do not want to pursue gambling. I believe them. However, I remain concerned that future leadership of the tribes will pursue establishing tribal casinos.

Virginia does not have casino gambling, and because we do not, we have avoided the crime, corruption and scandal that sometimes comes with gambling. As the author of the legislation which created the National Gambling Impact Study Commission that released its 2-year study in 1999, we know firsthand of the devastating social and financial costs of gambling: crime, prostitution, corruption, suicide, destroyed families, child and spousal abuse, and bankruptcy.

In moving forward with this, I want to ensure that Congress continues this, and I want to ensure that this language does not change when it goes to the Senate.

Under this bill, Congress intends that no Virginia Indian tribe or tribal member, if granted Federal recognition, would have any greater rights to gamble or to conduct gambling operations under the laws of the Commonwealth of Virginia than would any other citizen of Virginia.

Further, it is Congress' expectation that the provision limiting the tribes' ability to engage in gambling conforms with the *Ysleta Del Sur Pueblo v. The State of Texas* case. In that case, the U.S. Court of Appeals for the Fifth Circuit upheld a law prohibiting gaming by the tribe. In supporting H.R. 1385, Congress and the Virginia delegation, in particular, expect that the language restricting gambling operations by Indian tribes will be upheld if it is ever challenged.

I would like to enter into the RECORD a letter I received from the Virginia tribal leadership, acknowledging the anti-gambling language in this bill and reaffirming the view of tribal leadership that the language prohibits gambling.

VIRGINIA INDIAN TRIBAL
ALLIANCE FOR LIFE (VITAL),
New Kent, VA, May 18, 2009.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: Corn, or in the Virginia Algonquian tongue, hominy, represents the sustenance of the early American cultures. When the English came to Tsenacomoco, now called Virginia, our tribes traded corn, sometimes unwillingly, to the men of the Virginia Company. As historians will tell you, corn saved the colony in these early years. But corn also represents participatory government. Our elders tell us that corn was used when voting on matters of importance in the early years. Each eligible member was given a kernel of corn and a

pea. Corn signified a "yes" vote and the pea, a "no" vote.

Soon you will be given an opportunity to vote on HR 1385, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009, which extends federal recognition to the six Virginia Tribes comprising the Virginia Indian Tribal Alliance for Life (VITAL): (1) the Chickahominy Tribe; (2) the Chickahominy Indian Tribe—Eastern Division; (3) the Upper Mattaponi Tribe; (4) the Rappahannock Tribe, Inc.; (5) the Monacan Indian Nation; and (6) the Nansemond Indian Tribe.

On behalf of our Tribes, we ask that you use your kernel of corn to vote YES on HR 1385 when it comes to the floor of the House of Representatives for a vote.

We are sure you have questions about this bill which is of such vital importance to us.

If these Tribes have been in existence since first contact with the Europeans, why haven't they already been recognized by the United States?

Quite simply, because our Tribes never waged war on the United States of America. The hostilities between our Tribes and the Europeans who came here in 1607 effectively ended with the Treaty of Middle Plantation in 1677. This Treaty was signed between England and our Tribes. Predating the creation of the United States of America by just short of 100 years, our Treaty was never recognized by the founding fathers of the United States because it was not negotiated with them. Our Treaty of 1677 is still commemorated annually on the steps of the Governor's Mansion in Virginia but has yet to be recognized by the United States of America.

If these Tribes have been here since first contact with the Europeans, has there ever been any federal recognition of these Tribes?

Not officially by the entity called the United States and that is why we seek this federal acknowledgement now. However, hundreds of our sons and daughters have fought on behalf of the United States of America in many wars over the years. The "dog tags" of our military people, who have fought alongside Americans from across the country, have stated our race as "American Indian."

If these Tribes deserve recognition, why don't they utilize the administrative route created by Congress instead of seeking legislation?

For five decades the official policy of Virginia, enforced through the Racial Integrity Act of 1924, stated that there were only two races, white and colored. Over the years our Tribes were subjected to paper genocide. Not only were we denied our race in the everyday requests for birth and marriage certificates, but the Commonwealth of Virginia went into its records and changed the race of our documented ancestors. This law was continually upheld by Virginia Courts until the final vestiges of the law were struck down in 1971. In addition, five of the six courthouses that held the vast majority of the records that our Tribes would need to document our history to the degree required by the Bureau of Indian Affairs Office of Federal Acknowledgement were destroyed in the Civil War. As much as our Tribes would like to comply with the administrative rules to gain recognition, the combination of the official laws of the Commonwealth, the bureaucracy implementing those laws and the loss of our records create an insurmountable burden. We believe that since it was an act of government (Virginia) that denied us our heritage, it should be an act of government that restores it.

But still there is a process that has been established; why should Congress be asked to make this decision?

Of the 562 Tribes recognized by the United States of America, 140 were recognized by

Treaties and other negotiations and only 16 were recognized by the administrative process (which has been in effect since 1978). Acts of Congress recognized the remaining 406 Tribes. We are not asking for your vote to do the extraordinary. We ask for your vote to recognize our heritage and our place in history.

What about gaming? Won't this allow gaming by the Indian Tribes?

Our goal is not now, nor has it ever been, to establish or utilize gaming. Our heritage is such that our affiliation with churches has been strong, having embraced collectively (and individually) the faith, beliefs and sacraments of several Christian denominations. Gaming is, however, an issue that concerns many of you. As such, HR 1385 has strong anti-gaming language. In fact, the language prohibits our Tribes from gaming even if it is allowed in the Commonwealth of Virginia for its citizens generally!

With our deepest respect and admiration, we ask you to use this kernel of corn to vote YES on HR 1385.

Sincerely,

WAYNE ADKINS,
President.

Enclosure.

Again, my concern is not with the Federal recognition of Virginia Indian tribes but with the explosive spread of gambling and with the potential for casino gambling to come to the State of Virginia.

I also continue to have concerns about the broader Indian recognition process. Quite frankly, this Congress has not done enough to help Indian tribes. The process is broken. We have seen that in the past; but today, I'm supporting this bill because I believe it ensures that the State of Virginia's interests are safeguarded while still providing full recognition.

Again, I want to thank the chairman, and I want to thank Mr. MORAN. This is really significant. If only we had had this language in previous recognitions; I think a lot of the problems we have in this country with gambling and with corruption and crime would not have taken place.

□ 1330

Mr. RAHALL. Mr. Chairman, I am happy to yield 3 minutes to the distinguished gentleman from Virginia (Mr. MORAN), the main sponsor of this legislation and without whose leadership we would not be considering it today.

Mr. MORAN of Virginia. Thank you very much, Chairman RAHALL. And I thank my colleagues Mr. WOLF and Mr. SCOTT. I understand Mr. WOLF's original reluctance to originally agree with the bill, but we have put in language that I understand is now acceptable to Mr. WOLF. Mr. WOLF genuinely was concerned about the possibility of casino gambling in Virginia. The language in this bill addresses that satisfactorily to Mr. WOLF. So I would hope that others who have previously opposed this legislation would follow Mr. WOLF's leadership and support it. We are having some discussions on a very small piece of land with Mr. GOODLATTE, another colleague from Virginia, and I trust we can work that out.

These six Indian tribes have sacrificed a great deal and have undergone

quite an amount of demeaning treatment over generations. This is the right thing to do. We don't do this very often in the Congress of the United States, but this is a unique situation. These are the Indian tribes that enabled the first English settlers to survive in the colonies. We have right here in the Dome of the Capitol John Gadsby Chapman's dramatic painting of Pocahontas' baptism. That commemorates a landmark historic event, but it is connected to what happened 400 years ago when these Indians enabled the English settlers to survive, and eventually it led to Virginia being one of the original 13 colonies. We know the situation today, but what we do not know is the history of the Indian tribes that enabled the English settlers to survive on this continent. They have been very badly treated. And, in fact, even though they have a treaty signed with King Charles II in 1677, in the early part of the 20th century, the Commonwealth of Virginia conducted what was called a paper genocide. They made it illegal to be an American Indian in Virginia. They went into the courthouses and destroyed the birth records and everything they could relating to the legitimacy of these Indian tribes, even though everyone knew that they did actually exist. This was a time of severe racism, a time that we are very ashamed by. But these Indian tribes never gave up their pride or their stature.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman 2 additional minutes.

Mr. MORAN of Virginia. I thank my good friend, Chairman RAHALL from West Virginia, who has been tremendous in supporting this legislation.

To go back to the history behind this bill, this is so much a matter of pride and the restoration of justice. They survived even though they were denied employment and were denied educational opportunities. The only people who provided it were Christian missionaries. They oppose gambling. They don't even take advantage of the opportunity to have bingo games, which other nonprofits do in their vicinity, because they don't think it's the right thing. So I don't think that's any kind of a threat. Every other objection that has been raised I think has been adequately and fully addressed.

These are good people, and they have been subjected to a great deal that was unjust. We should have done this by the 400th anniversary of Jamestown, but today we are about to do so two years later.

Now there was a Supreme Court decision just a few months ago in February, and that Supreme Court decision said that the Secretary of the Interior no longer has unilateral discretion to determine what lands can be put in trust. That's why some additional lands and counties were included in this bill in case there is land that would be given to these Indian tribes in

the future. They are willing to compromise on this, to give up virtually all of that potential territory. They're left with very little land and very few rights. The laws of Virginia would apply on this land. They are not allowed to engage in gambling like other Indian tribes. This is a part of a list of compromises they have made. They've made all of these compromises because it is important to them that their children, grandchildren and great grandchildren recognize that these are Native American people deserving of our utmost respect. They are people who deserve to be able to hold their chins up in pride for what they meant to this country.

I strongly urge support of this legislation. It's overdue.

Mr. Chairman, I know it is against the rules of the House to address anyone but the Speaker.

If it were allowed, I would want to address the 2,500 or so members of the six Virginia tribes seeking Federal recognition.

I would say that I know their quest to assert their identity and their rights has been a long struggle.

Despite centuries of racial hostility and coercion by the Commonwealth of Virginia and others, they have refused to yield their most basic human right and have suffered and lost much.

But, throughout the centuries they have retained their dignity and supported their people.

When it appeared that no one else would, when little was available, when even the doors of public school house were closed to their children, they have never yielded to those who said they didn't exist.

Mr. Chairman, I would say to the Virginia tribes; win or lose today, you have already won by refusing to yield and by remaining true and faithful to who you are.

I would also say that it has been an honor for me to have helped carry this legislation.

While it is less than ideal, it moves you closer to the day our national government recognizes your existence.

Mr. Chairman, as Members of this chamber know, the crafting of congressional legislation is far from a perfect process. But, when it speaks, it speaks with the people's voice.

Today, I encourage my colleagues to speak and finally affirm that the Virginia tribes exist and deserve Federal recognition.

Mr. HASTINGS of Washington. I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. I rise in support of H.R. 1385, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009. I would like to start by thanking Ranking Member HASTINGS for yielding time to me. I would like to thank Representative MORAN for his hard work in introducing this bill and for his work on behalf of the tribes. I would like to thank Chairman RAHALL for his leadership in moving this legislation forward. We thank you for your efforts. It is an effort long overdue.

As a cosponsor of H.R. 1385, I am supportive of Federal recognition of Virginia's Indian tribes. This bill would extend Federal recognition to six Virginia tribes; and my district, the First

Congressional District of Virginia, better known as America's First District, includes the historic tribal areas of the Chickahominy, Chickahominy Eastern Division, Upper Mattaponi, Rappahannock and Nansemond tribes. These tribes are important culturally and historically to the Commonwealth of Virginia. Tribal ancestors from these tribes populated coastal Virginia when Captain John Smith settled at Jamestown in 1607. These "first contact" tribes have been intertwined with the birth of our Nation for over 400 years and continue to preserve a culture and heritage important to both Virginia and the Nation.

I believe that it's especially important to recognize these tribes because so many tribal members served our country bravely and heroically as members of our armed services. These tribal members who served our country during our Nation's conflicts have not been officially recognized by our government. This legislation, after nearly 400 years, will recognize these tribes.

Mr. Chairman, I'm a cosponsor of this bill, and I definitely and strongly support its passage. However, I do want to bring up one point. I have heard from some in the convenience store and gasoline marketing industry who have faced issues in other States when tribal businesses sell gasoline and tobacco tax-free to nontribal members, negatively impacting off-reservation business and State tax revenue. I don't want to see these types of problems in the Commonwealth of Virginia, and I don't believe that we will. I have assurance from the tribes that that is not their intent, and we've had a great working relationship with the Virginia General Assembly who have said that they will be working to make sure that through State compacts that this is taken care of. I bring this up with the hope that, moving forward, we can address this issue while respecting tribal sovereignty and protecting nontribal businesses. I do believe that that will happen. I believe that folks with the tribes are going to make that happen. I think they have reached out and have done an extraordinary job in doing everything to make sure that they are helpful in getting this issue taken care of.

Mr. Chairman, I am pleased to strongly support this bill, and I ask my colleagues to do the same.

Mr. RAHALL. Mr. Chairman, I am happy to yield 2 minutes to the very valued member of our Committee on Natural Resources, the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Chairman, I do want to thank the distinguished chairman of our committee, Mr. RAHALL, and our ranking member, Mr. HASTINGS, even though he may have some reservations concerning this bill but especially also to thank my colleague Mr. MORAN as the chief author of this important bill.

Mr. Chairman, I rise today in strong support of H.R. 1385, legislation to extend Federal recognition of the Thomasina E. Jordan Indian Tribes of Virginia.

Mr. Chairman, under the current Federal recognition process for recognizing Indian tribes, the six Virginia tribes considered under this bill may not be able to meet the strict qualifying requirements under the Federal recognition process. This is despite the wealth of documentation that exists for each of these tribes. While references exist from the 1600s until the present showing the existence of these Indian tribes in the Virginia area, much of the documentation that is needed to meet the criteria in the Federal recognition process has been tampered with or destroyed.

Mr. Chairman, this is another perfect example of a recognition process that has not worked and that any group of people who don't make a paper trail to prove their existence aren't worthy of Federal recognition. Congress has the authority to correct this grave injustice to these tribes. After some 400 years, Mr. Chairman, it is long overdue. I urge my colleagues to support this bill.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself as much time as I may consume.

The gentleman from Northern Virginia (Mr. MORAN) made an observation about the paper genocide issue, and I have to say that every member at the committee hearing that attended that hearing and heard the testimony on H.R. 1385 were, frankly, shocked and saddened and dismayed that, in fact, this sort of action went on in Virginia, how they treated the Indian people in the 20th century. I think that goes without saying. But I do want to point out, Mr. Chairman, for the record that there was a career employee of the Bureau of Indian Affairs who heads up the Office of Federal Acknowledgement that had a different view, and I just at least want to put that on the record as we debate this issue.

He said, "Records in Virginia do exist, and they were not destroyed. The vital records of birth, marriage, divorce, death and probate, they are in the record. Not only are they in the hands of the individuals to whom they pertain, but they are available at the local registrar level and State registrar level." He went on, continuing to quote, "In preparation for this hearing, I wanted to reach into what evidence was submitted on behalf of the Virginia groups, and in 2001 this was the material that we received. And one of the group's materials were copies of vital records that were not destroyed."

So this BIA witness went on to describe how these documents identified the persons and Indians. So it appears that there are records in Virginia, notwithstanding the fact that the State of Virginia went through this process in the last century.

So, Mr. Chairman, I just wanted to point that out that in the committee

hearing we did hear testimony that at least in part disputed the issue of paper genocide. I wanted to make that observation in the debate today.

With that, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, how much time remains on both sides?

The CHAIR. The gentleman from West Virginia has 17½ minutes remaining, and the gentleman from Washington has 15 minutes remaining.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. McDERMOTT).

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, I want to congratulate Mr. RAHALL, Mr. MORAN, Mr. WITTMAN, Mr. CONNOLLY, Mr. GRIJALVA, Mr. SCOTT, Mr. ABERCROMBIE and Mr. KILDEE for introducing legislation that confers Federal recognition on the Indian tribes of Virginia.

Affirming sovereign recognition first conferred by treaties is a matter of both history and conscience for the United States. Today we are correcting the mistakes of the past that relate to tribes that were among the very first to be in contact with white settlers when they came to these shores in 1607. While this is a great day for the tribes of Virginia, we must not forget that our work is not finished. The Duwamish tribe has lived in Seattle, which I represent, and has been there for centuries, long before there was the United States or a State of Washington. Seattle, in fact, was named after the great Duwamish chief, Chief Seattle.

□ 1345

Despite the treaty of Point Elliot, which the Duwamish signed in good faith with the United States in 1855, Federal recognition has not been extended, and in my belief, this is wrong. It went through the process. It was signed by President Clinton. And in one of his first executive orders, President Bush reversed the decision of recognition of the Duwamish. And it is time to correct that injustice with the Duwamish, just as we are doing here in Virginia.

That is why I am introducing legislation today to confer Federal recognition on the Duwamish tribe. So long as one Native tribe is denied justice and rights to which they are entitled, we all suffer.

It is my hope that the new day dawning across America is bright enough to shine enough light for us to see and correct the injustices endured for too long by the First Americans. I hope that we will have a day like this some time soon for the Duwamish tribe.

Mr. RAHALL. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my good friend and outstanding chairman of the Natural Resources Committee.

I know the House leadership and Chairman RAHALL are undertaking some risk in having scheduled this legislation because this type of legislation is invariably controversial. But Congress' past reluctance to grant Federal recognition and the demeaning and dysfunctional acknowledgement process at the Bureau of Indian Affairs has served to compound a grave injustice that this legislation will redress.

The Virginia tribes identified in this legislation, as I mentioned earlier, are the direct descendants of the tribes that greeted and ensured the survival of the first permanent English colony in the New World.

Almost exactly 2 years ago to this day, we marked the 400th anniversary of the founding of Jamestown. It was an event important enough to bring Queen Elizabeth across the Atlantic to commemorate.

While the 1607 settlement succeeded and laid the English claim and foundation for the original 13 colonies, history has not been very kind to Virginia's Native Americans of the great Powhatan Confederacy who greeted the English and provided food and assistance to ensure their initial survival.

Few are aware today that the direct descendants of the Native Americans who met these settlers are with us today. And in fact, some are in the Chamber watching. And they are still awaiting their due recognition by our Federal Government. This is the opportunity to correct this grave wrong.

This bill, at long last, is named after Thomasina E. Jordan, who fought in such a committed way to get this recognition once she realized the history of discrimination that necessitated it. It grants recognition to the six Indian tribes in Virginia, and I would like to name them: the Chickahominy, the Eastern Chickahominy, the Upper Mattaponi, the Rappahannock, the Monacan and the Nansemond. The Commonwealth of Virginia recognized all six tribes in the 1980s. It is now time for the Federal Government, by this act of the U.S. Congress, to do the same.

Like most Native Americans, the Virginia tribes welcomed Western settlers but quickly became subdued. The settlers had guns, and Indians had bows and arrows. They were pushed off their land, and up through much of the 20th century, denied any rights as U.S. citizens.

Despite their devastating loss of land and population, the Virginia Indians survived centuries of racial hostility and coercive State and State-sanctioned actions that tried to eradicate their heritage and cultural identity.

The history of Virginia tribes is unique in two important ways that are relevant to why this bill is on the House floor today. The first explains why the Virginia tribes were never recognized by the Federal Government. The second explains why congressional action is absolutely needed. The first circumstance is that unlike most

tribes that resisted encroachment and obtained Federal recognition when they signed peace treaties with the Federal Government, Virginia's tribes signed their peace treaties with the kings of England.

Most notable among these was the Treaty of 1677 between these tribes and Charles II that is still observed by Virginia every year when the Governor accepts tribute. I was there with Mr. SCOTT just this year. Governor Kaine accepted a deer that was brought by the tribes. And it is a ceremony that has been observed for 331 years. It is the longest celebrated treaty in the United States today.

Now the second unique circumstance for the Virginia tribes is what they experienced in the hands of the State government during the first half of the 20th century that Mr. HASTINGS has alluded to. It is called a "paper genocide." At a time when the Federal Government granted Native Americans the right to vote, Virginia's elected officials adopted racially hostile laws targeted at those classes of people who did not fit into the dominant white society.

These actions culminated with the Racial Integrity Act of 1924 that targeted Native Americans and sought to deny them their identity. The act empowered zealots, like Dr. Walter Plecker. He was in charge of the Bureau of Records at the State and he destroyed all the State and local courthouse records and reclassified, in Orwellian fashion, all nonwhites in the words of the day as "colored."

It targeted Native Americans and sought to deny them their identity. Calling yourself a "Native American" in Virginia risked a jail sentence of 1 year. For up to 50 years, State officials waged a war to destroy all public and private records that affirmed the existence of Native Americans in Virginia. That law remained in effect until it was struck down in the Federal courts in 1967.

All six tribes have filed petitions with the Bureau of Acknowledgement seeking Federal recognition. But it is a heavy burden. They have been told it won't happen in their lifetime. The acknowledgement process is expensive. It is subject to unreasonable delays. It lacks dignity. We ought to address that separately. But Virginia's history of this paper genocide only further complicates these tribes' quest for Federal recognition, making it difficult to furnish corroborating State and official documents. They can't really prove it because the documents were destroyed.

The CHAIR. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman 3 additional minutes.

Mr. MORAN of Virginia. I thank my good friend. So here they are told to prove their existence, and yet the State government destroyed the proof of their existence, again aggravating an injustice that had already been visited upon these people. The only people

who cared about them were Christian missionaries who allowed them to get some education. But they were denied employment for much of their history in the 20th century in Virginia.

We are rectifying this wrong today. And in light of the 400th anniversary of Jamestown, we will bring closure to this national injustice. There is no doubt that these tribes have existed on a continuous basis since before the first Western European settlers set foot in America, and they are here with us today.

I know there is great resistance from Congress to grant any American tribe Federal recognition. And I can appreciate how the issue of gambling and its economic and moral dimension influence many Members' perspectives in tribal recognition issues.

The Virginia tribes have agreed to forgo gaming. An amendment offered by Congressman DUNCAN offered last session was approved by the Natural Resources Committee. That is in this bill before us. It prohibits these tribes from gaming under Federal law even if one day the State were to reverse course and set up gambling casinos in the State. The State can have gambling casinos. These Indians cannot. Go figure. But that is the way the legislation reads.

The Virginia tribes, under the bill being considered today, could not engage in gambling on their sovereign lands. The Virginia tribes are also prepared to grant Virginia full civil and criminal jurisdiction over any future reservation lands until such time as the Secretary of the Interior and the U.S. Attorney General agree that they have developed an acceptable alternative judicial framework that the Federal Government can honor.

Mr. Chairman, these tribes recognize that the legislative route to recognition is a very imperfect process and that compromise is a necessary ingredient. That compromise and that balance have now been struck. Now is the time to pass this legislation. Failure to do so would unravel the progress we have made and lose this time in history for these tribes to finally gain Federal recognition. It would be a setback and an injustice. They have suffered enough injustices. Let's not add another one.

Congress has the power to recognize these tribes. It has exercised these powers in the past. It should exercise this power again for these six tribes. More than 300 of the 562 federally recognized tribes have been recognized by an act of Congress.

I urge my colleagues to support this legislation. We will be doing our part to bring closure to some tragic and unjust acts that have transpired since Englishmen established their first permanent settlement more than 400 years ago in this New World. This is the right thing to do. I trust that Congress will do it today.

Mr. HASTINGS of Washington. Mr. Chairman, I reserve my time.

Mr. RAHALL. If I might ask the ranking member, do you have further speakers?

Mr. HASTINGS of Washington. Mr. Chairman, I advised my friend, I have no further speakers. But I just want to take a moment here to close beforehand.

So with that I yield myself the balance of the time.

I think what has been demonstrated on the floor here is the passion surrounding this issue. And I can certainly understand that passion, especially with the history, particularly here in the eastern part of the United States. And I don't expect that my opposition or my arguments are going to change the outcome of the votes, as I mentioned in my opening remarks. But as I mentioned in my opening remarks, because of the Carciari decision, I think it is important for us to set at least some guidelines as to what process we in Congress, who have the constitutional right, by the way, to recognize tribes, at least to have a set of criteria that we should look at. And one of them ought to be at least some verification at the minimal.

I know that at the Bureau of Indian Affairs, and admittedly this is regulatory, there are seven or eight steps that certainly make sense. A lot of tribes have gone through that process. So I understand the passion. I respect the passion and the work that has been done on this. But for the reasons I outlined, more of a process reason than anything else, I urge my colleagues to vote against this legislation.

And with that, I yield back my time.

Mr. RAHALL. Mr. Chairman, I yield myself the balance of my time.

Just to respond to my dear friend, the gentleman from Washington, the Carciari decision did not impact Congress' power to place land into trust for an Indian tribe directly or Congress' power to authorize the Secretary to place land in a trust for a specific tribe beyond the general authority found in the Indian Reorganization Act.

There is much precedent for this legislation. Congress has recognized other Indian tribes and placed land into trust and/or authorized the Secretary to place land into trust for those tribes on numerous occasions. So I just conclude by saying that this legislation, again, is not affected by the Carciari decision, nor does this legislation overturn said decision.

Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 1385

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009”.

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CHICKAHOMINY INDIAN TRIBE

Sec. 101. Findings.

Sec. 102. Definitions.

Sec. 103. Federal recognition.

Sec. 104. Membership; governing documents.

Sec. 105. Governing body.

Sec. 106. Reservation of the Tribe.

Sec. 107. Hunting, fishing, trapping, gathering, and water rights.

Sec. 108. Jurisdiction of Commonwealth of Virginia.

TITLE II—CHICKAHOMINY INDIAN TRIBE—EASTERN DIVISION

Sec. 201. Findings.

Sec. 202. Definitions.

Sec. 203. Federal recognition.

Sec. 204. Membership; governing documents.

Sec. 205. Governing body.

Sec. 206. Reservation of the Tribe.

Sec. 207. Hunting, fishing, trapping, gathering, and water rights.

Sec. 208. Jurisdiction of Commonwealth of Virginia.

TITLE III—UPPER MATTAPONI TRIBE

Sec. 301. Findings.

Sec. 302. Definitions.

Sec. 303. Federal recognition.

Sec. 304. Membership; governing documents.

Sec. 305. Governing body.

Sec. 306. Reservation of the Tribe.

Sec. 307. Hunting, fishing, trapping, gathering, and water rights.

Sec. 308. Jurisdiction of Commonwealth of Virginia.

TITLE IV—RAPPAHANNOCK TRIBE, INC.

Sec. 401. Findings.

Sec. 402. Definitions.

Sec. 403. Federal recognition.

Sec. 404. Membership; governing documents.

Sec. 405. Governing body.

Sec. 406. Reservation of the Tribe.

Sec. 407. Hunting, fishing, trapping, gathering, and water rights.

Sec. 408. Jurisdiction of Commonwealth of Virginia.

TITLE V—MONACAN INDIAN NATION

Sec. 501. Findings.

Sec. 502. Definitions.

Sec. 503. Federal recognition.

Sec. 504. Membership; governing documents.

Sec. 505. Governing body.

Sec. 506. Reservation of the Tribe.

Sec. 507. Hunting, fishing, trapping, gathering, and water rights.

Sec. 508. Jurisdiction of Commonwealth of Virginia.

TITLE VI—NANSEMOND INDIAN TRIBE

Sec. 601. Findings.

Sec. 602. Definitions.

Sec. 603. Federal recognition.

Sec. 604. Membership; governing documents.

Sec. 605. Governing body.

Sec. 606. Reservation of the Tribe.

Sec. 607. Hunting, fishing, trapping, gathering, and water rights.

Sec. 608. Jurisdiction of Commonwealth of Virginia.

TITLE I—CHICKAHOMINY INDIAN TRIBE

SEC. 101. FINDINGS.

Congress finds that—

(1) in 1607, when the English settlers set shore along the Virginia coastline, the Chickahominy Indian Tribe was 1 of about 30 tribes that received them;

(2) in 1614, the Chickahominy Indian Tribe entered into a treaty with Sir Thomas Dale, Governor of the Jamestown Colony, under which—

(A) the Chickahominy Indian Tribe agreed to provide 2 bushels of corn per man and send warriors to protect the English; and

(B) Sir Thomas Dale agreed in return to allow the Tribe to continue to practice its own tribal governance;

(3) in 1646, a treaty was signed which forced the Chickahominy from their homeland to the area around the York Mattaponi River in present-day King William County, leading to the formation of a reservation;

(4) in 1677, following Bacon's Rebellion, the Queen of Pamunkey signed the Treaty of Middle Plantation on behalf of the Chickahominy;

(5) in 1702, the Chickahominy were forced from their reservation, which caused the loss of a land base;

(6) in 1711, the College of William and Mary in Williamsburg established a grammar school for Indians called Brafferton College;

(7) a Chickahominy child was 1 of the first Indians to attend Brafferton College;

(8) in 1750, the Chickahominy Indian Tribe began to migrate from King William County back to the area around the Chickahominy River in New Kent and Charles City Counties;

(9) in 1793, a Baptist missionary named Bradby took refuge with the Chickahominy and took a Chickahominy woman as his wife;

(10) in 1831, the names of the ancestors of the modern-day Chickahominy Indian Tribe began to appear in the Charles City County census records;

(11) in 1901, the Chickahominy Indian Tribe formed Samaria Baptist Church;

(12) from 1901 to 1935, Chickahominy men were assessed a tribal tax so that their children could receive an education;

(13) the Tribe used the proceeds from the tax to build the first Samaria Indian School, buy supplies, and pay a teacher's salary;

(14) in 1919, C. Lee Moore, Auditor of Public Accounts for Virginia, told Chickahominy Chief O.W. Adkins that he had instructed the Commissioner of Revenue for Charles City County to record Chickahominy tribal members on the county tax rolls as Indian, and not as white or colored;

(15) during the period of 1920 through 1930, various Governors of the Commonwealth of Virginia wrote letters of introduction for Chickahominy Chiefs who had official business with Federal agencies in Washington, DC;

(16) in 1934, Chickahominy Chief O.O. Adkins wrote to John Collier, Commissioner of Indian Affairs, requesting money to acquire land for the Chickahominy Indian Tribe's use, to build school, medical, and library facilities and to buy tractors, implements, and seed;

(17) in 1934, John Collier, Commissioner of Indian Affairs, wrote to Chickahominy Chief O.O. Adkins, informing him that Congress had passed the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 461 et seq.), but had not made the appropriation to fund the Act;

(18) in 1942, Chickahominy Chief O.O. Adkins wrote to John Collier, Commissioner of Indian Affairs, asking for help in getting the proper racial designation on Selective Service records for Chickahominy soldiers;

(19) in 1943, John Collier, Commissioner of Indian Affairs, asked Douglas S. Freeman, editor of the Richmond News-Leader newspaper of Richmond, Virginia, to help Virginia Indians obtain proper racial designation on birth records;

(20) Collier stated that his office could not officially intervene because it had no responsibility for the Virginia Indians, “as a matter largely of historical accident”, but was “interested in them as descendants of the original inhabitants of the region”;

(21) in 1948, the Veterans' Education Committee of the Virginia State Board of Education approved Samaria Indian School to provide training to veterans;

(22) that school was established and run by the Chickahominy Indian Tribe;

(23) in 1950, the Chickahominy Indian Tribe purchased and donated to the Charles City County School Board land to be used to build a modern school for students of the Chickahominy and other Virginia Indian tribes;

(24) the Samaria Indian School included students in grades 1 through 8;

(25) in 1961, Senator Sam Ervin, Chairman of the Subcommittee on Constitutional Rights of the Committee on the Judiciary of the Senate, requested Chickahominy Chief O.O. Adkins to provide assistance in analyzing the status of the constitutional rights of Indians "in your area";

(26) in 1967, the Charles City County school board closed Samaria Indian School and converted the school to a countywide primary school as a step toward full school integration of Indian and non-Indian students;

(27) in 1972, the Charles City County school board began receiving funds under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aa et seq.) on behalf of Chickahominy students, which funding is provided as of the date of enactment of this Act under title V of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa et seq.);

(28) in 1974, the Chickahominy Indian Tribe bought land and built a tribal center using monthly pledges from tribal members to finance the transactions;

(29) in 1983, the Chickahominy Indian Tribe was granted recognition as an Indian tribe by the Commonwealth of Virginia, along with 5 other Indian tribes; and

(30) in 1985, Governor Gerald Baliles was the special guest at an intertribal Thanksgiving Day dinner hosted by the Chickahominy Indian Tribe.

SEC. 102. DEFINITIONS.

In this title:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) TRIBAL MEMBER.—The term "tribal member" means—

(A) an individual who is an enrolled member of the Tribe as of the date of enactment of this Act; and

(B) an individual who has been placed on the membership rolls of the Tribe in accordance with this title.

(3) TRIBE.—The term "Tribe" means the Chickahominy Indian Tribe.

SEC. 103. FEDERAL RECOGNITION.

(a) FEDERAL RECOGNITION.—

(1) IN GENERAL.—Federal recognition is extended to the Tribe.

(2) APPLICABILITY OF LAWS.—All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 (25 U.S.C. 461 et seq.)) that are not inconsistent with this title shall be applicable to the Tribe and tribal members.

(b) FEDERAL SERVICES AND BENEFITS.—

(1) IN GENERAL.—On and after the date of enactment of this Act, the Tribe and tribal members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

(2) SERVICE AREA.—For the purpose of the delivery of Federal services to tribal members, the service area of the Tribe shall be considered to be the area comprised of New Kent County, James City County, Charles City County, and Henrico County, Virginia.

SEC. 104. MEMBERSHIP; GOVERNING DOCUMENTS.

The membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents, respectively, submitted by the Tribe to the Secretary before the date of enactment of this Act.

SEC. 105. GOVERNING BODY.

The governing body of the Tribe shall be—

(1) the governing body of the Tribe in place as of the date of enactment of this Act; or

(2) any subsequent governing body elected in accordance with the election procedures specified in the governing documents of the Tribe.

SEC. 106. RESERVATION OF THE TRIBE.

(a) IN GENERAL.—Upon the request of the Tribe, the Secretary of the Interior—

(1) shall take into trust for the benefit of the Tribe any land held in fee by the Tribe that was acquired by the Tribe on or before January 1, 2007, if such lands are located within the boundaries of New Kent County, James City County, Charles City County, or Henrico County, Virginia; and

(2) may take into trust for the benefit of the Tribe any land held in fee by the Tribe, if such lands are located within the boundaries of New Kent County, James City County, Charles City County, or Henrico County, Virginia.

(b) DEADLINE FOR DETERMINATION.—The Secretary shall make a final written determination not later than three years of the date which the Tribe submits a request for land to be taken into trust under subsection (a)(2) and shall immediately make that determination available to the Tribe.

(c) RESERVATION STATUS.—Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall, upon request of the Tribe, be considered part of the reservation of the Tribe.

(d) GAMING.—The Tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 107. HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.

Nothing in this title expands, reduces, or affects in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

SEC. 108. JURISDICTION OF COMMONWEALTH OF VIRGINIA.

(a) IN GENERAL.—The Commonwealth of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on, lands located within the Commonwealth of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.—The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the Commonwealth of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to re-assume such jurisdiction.

TITLE II—CHICKAHOMINY INDIAN TRIBE—EASTERN DIVISION

SEC. 201. FINDINGS.

Congress finds that—

(1) in 1607, when the English settlers set shore along the Virginia coastline, the Chickahominy Indian Tribe was 1 of about 30 tribes that received them;

(2) in 1614, the Chickahominy Indian Tribe entered into a treaty with Sir Thomas Dale, Governor of the Jamestown Colony, under which—

(A) the Chickahominy Indian Tribe agreed to provide 2 bushels of corn per man and send warriors to protect the English; and

(B) Sir Thomas Dale agreed in return to allow the Tribe to continue to practice its own tribal governance;

(3) in 1646, a treaty was signed which forced the Chickahominy from their homeland to the area around the York River in present-day King William County, leading to the formation of a reservation;

(4) in 1677, following Bacon's Rebellion, the Queen of Pamunkey signed the Treaty of Middle Plantation on behalf of the Chickahominy;

(5) in 1702, the Chickahominy were forced from their reservation, which caused the loss of a land base;

(6) in 1711, the College of William and Mary in Williamsburg established a grammar school for Indians called Brafferton College;

(7) a Chickahominy child was 1 of the first Indians to attend Brafferton College;

(8) in 1750, the Chickahominy Indian Tribe began to migrate from King William County back to the area around the Chickahominy River in New Kent and Charles City Counties;

(9) in 1793, a Baptist missionary named Bradby took refuge with the Chickahominy and took a Chickahominy woman as his wife;

(10) in 1831, the names of the ancestors of the modern-day Chickahominy Indian Tribe began to appear in the Charles City County census records;

(11) in 1870, a census revealed an enclave of Indians in New Kent County that is believed to be the beginning of the Chickahominy Indian Tribe—Eastern Division;

(12) other records were destroyed when the New Kent County courthouse was burned, leaving a State census as the only record covering that period;

(13) in 1901, the Chickahominy Indian Tribe formed Samaria Baptist Church;

(14) from 1901 to 1935, Chickahominy men were assessed a tribal tax so that their children could receive an education;

(15) the Tribe used the proceeds from the tax to build the first Samaria Indian School, buy supplies, and pay a teacher's salary;

(16) in 1910, a 1-room school covering grades 1 through 8 was established in New Kent County for the Chickahominy Indian Tribe—Eastern Division;

(17) during the period of 1920 through 1921, the Chickahominy Indian Tribe—Eastern Division began forming a tribal government;

(18) E.P. Bradby, the founder of the Tribe, was elected to be Chief;

(19) in 1922, Tsena Commocko Baptist Church was organized;

(20) in 1925, a certificate of incorporation was issued to the Chickahominy Indian Tribe—Eastern Division;

(21) in 1950, the 1-room Indian school in New Kent County was closed and students were bused to Samaria Indian School in Charles City County;

(22) in 1967, the Chickahominy Indian Tribe and the Chickahominy Indian Tribe—Eastern Division lost their schools as a result of the required integration of students;

(23) during the period of 1982 through 1984, Tsena Commocko Baptist Church built a new sanctuary to accommodate church growth;

(24) in 1983 the Chickahominy Indian Tribe—Eastern Division was granted State recognition along with 5 other Virginia Indian tribes;

(25) in 1985—

(A) the Virginia Council on Indians was organized as a State agency; and

(B) the Chickahominy Indian Tribe—Eastern Division was granted a seat on the Council;

(26) in 1988, a nonprofit organization known as the "United Indians of Virginia" was formed; and

(27) Chief Marvin "Strongoak" Bradby of the Eastern Band of the Chickahominy presently chairs the organization.

SEC. 202. DEFINITIONS.

In this title:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) TRIBAL MEMBER.—The term "tribal member" means—

(A) an individual who is an enrolled member of the Tribe as of the date of enactment of this Act; and

(B) an individual who has been placed on the membership rolls of the Tribe in accordance with this title.

(3) TRIBE.—The term "Tribe" means the Chickahominy Indian Tribe—Eastern Division.

SEC. 203. FEDERAL RECOGNITION.

(a) **FEDERAL RECOGNITION.**—

(1) **IN GENERAL.**—Federal recognition is extended to the Tribe.

(2) **APPLICABILITY OF LAWS.**—All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 (25 U.S.C. 461 et seq.)) that are not inconsistent with this title shall be applicable to the Tribe and tribal members.

(b) **FEDERAL SERVICES AND BENEFITS.**—

(1) **IN GENERAL.**—On and after the date of enactment of this Act, the Tribe and tribal members shall be eligible for all future services and benefits provided by the Federal Government to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

(2) **SERVICE AREA.**—For the purpose of the delivery of Federal services to tribal members, the service area of the Tribe shall be considered to be the area comprised of New Kent County, James City County, Charles City County, and Henrico County, Virginia.

SEC. 204. MEMBERSHIP; GOVERNING DOCUMENTS.

The membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents, respectively, submitted by the Tribe to the Secretary before the date of enactment of this Act.

SEC. 205. GOVERNING BODY.

The governing body of the Tribe shall be—

(1) the governing body of the Tribe in place as of the date of enactment of this Act; or

(2) any subsequent governing body elected in accordance with the election procedures specified in the governing documents of the Tribe.

SEC. 206. RESERVATION OF THE TRIBE.

(a) **IN GENERAL.**—Upon the request of the Tribe, the Secretary of the Interior—

(1) shall take into trust for the benefit of the Tribe any land held in fee by the Tribe that was acquired by the Tribe on or before January 1, 2007, if such lands are located within the boundaries of New Kent County, James City County, Charles City County, or Henrico County, Virginia; and

(2) may take into trust for the benefit of the Tribe any land held in fee by the Tribe, if such lands are located within the boundaries of New Kent County, James City County, Charles City County, or Henrico County, Virginia.

(b) **DEADLINE FOR DETERMINATION.**—The Secretary shall make a final written determination not later than three years of the date which the Tribe submits a request for land to be taken into trust under subsection (a)(2) and shall immediately make that determination available to the Tribe.

(c) **RESERVATION STATUS.**—Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall, upon request of the Tribe, be considered part of the reservation of the Tribe.

(d) **GAMING.**—The Tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 207. HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.

Nothing in this title expands, reduces, or affects in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

SEC. 208. JURISDICTION OF COMMONWEALTH OF VIRGINIA.

(a) **IN GENERAL.**—The Commonwealth of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on, lands located within the Commonwealth of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) **ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.**—The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the Commonwealth of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to re-assume such jurisdiction.

TITLE III—UPPER MATTAPONI TRIBE**SEC. 301. FINDINGS.**

Congress finds that—

(1) during the period of 1607 through 1646, the Chickahominy Indian Tribes—

(A) lived approximately 20 miles from Jamestown; and

(B) were significantly involved in English-Indian affairs;

(2) Mattaponi Indians, who later joined the Chickahominy Indians, lived a greater distance from Jamestown;

(3) in 1646, the Chickahominy Indians moved to Mattaponi River basin, away from the English;

(4) in 1661, the Chickahominy Indians sold land at a place known as “the cliffs” on the Mattaponi River;

(5) in 1669, the Chickahominy Indians—

(A) appeared in the Virginia Colony’s census of Indian bowmen; and

(B) lived in “New Kent” County, which included the Mattaponi River basin at that time;

(6) in 1677, the Chickahominy and Mattaponi Indians were subjects of the Queen of Pamunkey, who was a signatory to the Treaty of 1677 with the King of England;

(7) in 1683, after a Mattaponi town was attacked by Seneca Indians, the Mattaponi Indians took refuge with the Chickahominy Indians, and the history of the 2 groups was intertwined for many years thereafter;

(8) in 1695, the Chickahominy and Mattaponi Indians—

(A) were assigned a reservation by the Virginia Colony; and

(B) traded land of the reservation for land at the place known as “the cliffs” (which, as of the date of enactment of this Act, is the Mattaponi Indian Reservation), which had been owned by the Mattaponi Indians before 1661;

(9) in 1711, a Chickahominy boy attended the Indian School at the College of William and Mary;

(10) in 1726, the Virginia Colony discontinued funding of interpreters for the Chickahominy and Mattaponi Indian Tribes;

(11) James Adams, who served as an interpreter to the Indian tribes known as of the date of enactment of this Act as the “Upper Mattaponi Indian Tribe” and “Chickahominy Indian Tribe”, elected to stay with the Upper Mattaponi Indians;

(12) today, a majority of the Upper Mattaponi Indians have “Adams” as their surname;

(13) in 1787, Thomas Jefferson, in Notes on the Commonwealth of Virginia, mentioned the Mattaponi Indians on a reservation in King William County and said that Chickahominy Indians were “blended” with the Mattaponi Indians and nearby Pamunkey Indians;

(14) in 1850, the census of the United States revealed a nucleus of approximately 10 families, all ancestral to modern Upper Mattaponi Indians, living in central King William County, Virginia, approximately 10 miles from the reservation;

(15) during the period of 1853 through 1884, King William County marriage records listed Upper Mattaponis as “Indians” in marrying people residing on the reservation;

(16) during the period of 1884 through the present, county marriage records usually refer to Upper Mattaponis as “Indians”;

(17) in 1901, Smithsonian anthropologist James Mooney heard about the Upper Mattaponi Indians but did not visit them;

(18) in 1928, University of Pennsylvania anthropologist Frank Speck published a book on modern Virginia Indians with a section on the Upper Mattaponis;

(19) from 1929 until 1930, the leadership of the Upper Mattaponi Indians opposed the use of a “colored” designation in the 1930 United States census and won a compromise in which the Indian ancestry of the Upper Mattaponis was recorded but questioned;

(20) during the period of 1942 through 1945—

(A) the leadership of the Upper Mattaponi Indians, with the help of Frank Speck and others, fought against the induction of young men of the Tribe into “colored” units in the Armed Forces of the United States; and

(B) a tribal roll for the Upper Mattaponi Indians was compiled;

(21) from 1945 to 1946, negotiations took place to admit some of the young people of the Upper Mattaponi to high schools for Federal Indians (especially at Cherokee) because no high school coursework was available for Indians in Virginia schools; and

(22) in 1983, the Upper Mattaponi Indians applied for and won State recognition as an Indian tribe.

SEC. 302. DEFINITIONS.

In this title:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **TRIBAL MEMBER.**—The term “tribal member” means—

(A) an individual who is an enrolled member of the Tribe as of the date of enactment of this Act; and

(B) an individual who has been placed on the membership rolls of the Tribe in accordance with this title.

(3) **TRIBE.**—The term “Tribe” means the Upper Mattaponi Tribe.

SEC. 303. FEDERAL RECOGNITION.

(a) **FEDERAL RECOGNITION.**—

(1) **IN GENERAL.**—Federal recognition is extended to the Tribe.

(2) **APPLICABILITY OF LAWS.**—All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 (25 U.S.C. 461 et seq.)) that are not inconsistent with this title shall be applicable to the Tribe and tribal members.

(b) **FEDERAL SERVICES AND BENEFITS.**—

(1) **IN GENERAL.**—On and after the date of enactment of this Act, the Tribe and tribal members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

(2) **SERVICE AREA.**—For the purpose of the delivery of Federal services to tribal members, the service area of the Tribe shall be considered to be the area within 25 miles of the Sharon Indian School at 13383 King William Road, King William County, Virginia.

SEC. 304. MEMBERSHIP; GOVERNING DOCUMENTS.

The membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents, respectively, submitted by the Tribe to the Secretary before the date of enactment of this Act.

SEC. 305. GOVERNING BODY.

The governing body of the Tribe shall be—

(1) the governing body of the Tribe in place as of the date of enactment of this Act; or

(2) any subsequent governing body elected in accordance with the election procedures specified in the governing documents of the Tribe.

SEC. 306. RESERVATION OF THE TRIBE.

(a) **IN GENERAL.**—Upon the request of the Tribe, the Secretary of the Interior—

(1) shall take into trust for the benefit of the Tribe any land held in fee by the Tribe that was acquired by the Tribe on or before January 1, 2007, if such lands are located within the boundaries of King William County, Caroline County,

Hanover County, King and Queen County, and New Kent County, Virginia; and

(2) may take into trust for the benefit of the Tribe any land held in fee by the Tribe, if such lands are located within the boundaries of King William County, Caroline County, Hanover County, King and Queen County, and New Kent County, Virginia.

(b) **DEADLINE FOR DETERMINATION.**—The Secretary shall make a final written determination not later than three years of the date which the Tribe submits a request for land to be taken into trust under subsection (a)(2) and shall immediately make that determination available to the Tribe.

(c) **RESERVATION STATUS.**—Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall, upon request of the Tribe, be considered part of the reservation of the Tribe.

(d) **GAMING.**—The Tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 307. HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.

Nothing in this title expands, reduces, or affects in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

SEC. 308. JURISDICTION OF COMMONWEALTH OF VIRGINIA.

(a) **IN GENERAL.**—The Commonwealth of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on, lands located within the Commonwealth of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) **ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.**—The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the Commonwealth of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to reassume such jurisdiction.

TITLE IV—RAPPAHANNOCK TRIBE, INC.

SEC. 401. FINDINGS.

Congress finds that—

(1) during the initial months after Virginia was settled, the Rappahannock Indians had 3 encounters with Captain John Smith;

(2) the first encounter occurred when the Rappahannock weroance (headman)—

(A) traveled to Quiyocohannock (a principal town across the James River from Jamestown), where he met with Smith to determine whether Smith had been the “great man” who had previously sailed into the Rappahannock River, killed a Rappahannock weroance, and kidnapped Rappahannock people; and

(B) determined that Smith was too short to be that “great man”;

(3) on a second meeting, during John Smith’s captivity (December 16, 1607 to January 8, 1608), Smith was taken to the Rappahannock principal village to show the people that Smith was not the “great man”;

(4) a third meeting took place during Smith’s exploration of the Chesapeake Bay (July to September 1608), when, after the Moraughtacund Indians had stolen 3 women from the Rappahannock King, Smith was prevailed upon to facilitate a peaceful truce between the Rappahannock and the Moraughtacund Indians;

(5) in the settlement, Smith had the 2 Indian tribes meet on the spot of their first fight;

(6) when it was established that both groups wanted peace, Smith told the Rappahannock King to select which of the 3 stolen women he wanted;

(7) the Moraughtacund King was given second choice among the 2 remaining women, and Mosco, a Wighcomoco (on the Potomac River) guide, was given the third woman;

(8) in 1645, Captain William Claiborne tried unsuccessfully to establish treaty relations with the Rappahannocks, as the Rappahannocks had not participated in the Pamunkey-led uprising in 1644, and the English wanted to “treat with the Rappahannocks or any other Indians not in amity with Opechancanough, concerning serving the county against the Pamunkeys”;

(9) in April 1651, the Rappahannocks conveyed a tract of land to an English settler, Colonel Morre Fautleroy;

(10) the deed for the conveyance was signed by Accopatough, weroance of the Rappahannock Indians;

(11) in September 1653, Lancaster County signed a treaty with Rappahannock Indians, the terms of which treaty—

(A) gave Rappahannocks the rights of Englishmen in the county court; and

(B) attempted to make the Rappahannocks more accountable under English law;

(12) in September 1653, Lancaster County defined and marked the bounds of its Indian settlements;

(13) according to the Lancaster clerk of court, “the tribe called the great Rappahannocks lived on the Rappahannock Creek just across the river above Tappahannock”;

(14) in September 1656, (Old) Rappahannock County (which, as of the date of enactment of this Act, is comprised of Richmond and Essex Counties, Virginia) signed a treaty with Rappahannock Indians that—

(A) mirrored the Lancaster County treaty from 1653; and

(B) stated that—

(i) Rappahannocks were to be rewarded, in Roanoke, for returning English fugitives; and

(ii) the English encouraged the Rappahannocks to send their children to live among the English as servants, who the English promised would be well-treated;

(15) in 1658, the Virginia Assembly revised a 1652 Act stating that “there be no grants of land to any Englishman whatsoever de futuro until the Indians be first served with the proportion of 50 acres of land for each bowman”;

(16) in 1669, the colony conducted a census of Virginia Indians;

(17) as of the date of that census—

(A) the majority of the Rappahannocks were residing at their hunting village on the north side of the Mattaponi River; and

(B) at the time of the visit, census-takers were counting only the Indian tribes along the rivers, which explains why only 30 Rappahannock bowmen were counted on that river;

(18) the Rappahannocks used the hunting village on the north side of the Mattaponi River as their primary residence until the Rappahannocks were removed in 1684;

(19) in May 1677, the Treaty of Middle Plantation was signed with England;

(20) the Pamunkey Queen Cockacoeske signed on behalf of the Rappahannocks, “who were supposed to be her tributaries”, but before the treaty could be ratified, the Queen of Pamunkey complained to the Virginia Colonial Council “that she was having trouble with Rappahannocks and Chickahominies, supposedly tributaries of hers”;

(21) in November 1682, the Virginia Colonial Council established a reservation for the Rappahannock Indians of 3,474 acres “about the town where they dwell”;

(22) the Rappahannock “town” was the hunting village on the north side of the Mattaponi River, where the Rappahannocks had lived throughout the 1670s;

(23) the acreage allotment of the reservation was based on the 1658 Indian land act, which translates into a bowman population of 70, or an approximate total Rappahannock population of 350;

(24) in 1683, following raids by Iroquoian warriors on both Indian and English settlements, the Virginia Colonial Council ordered the Rappahannocks to leave their reservation and unite with the Nanzatico Indians at Nanzatico Indian Town, which was located across and up the Rappahannock River some 30 miles;

(25) between 1687 and 1699, the Rappahannocks migrated out of Nanzatico, returning to the south side of the Rappahannock River at Portobacco Indian Town;

(26) in 1706, by order of Essex County, Lieutenant Richard Covington “escorted” the Portobaccos and Rappahannocks out of Portobacco Indian Town, out of Essex County, and into King and Queen County where they settled along the ridgeline between the Rappahannock and Mattaponi Rivers, the site of their ancient hunting village and 1682 reservation;

(27) during the 1760s, 3 Rappahannock girls were raised on Thomas Nelson’s Bleak Hill Plantation in King William County;

(28) of those girls—

(A) 1 married a Saunders man;

(B) 1 married a Johnson man; and

(C) 1 had 2 children, Edmund and Carter Nelson, fathered by Thomas Cary Nelson;

(29) in the 19th century, those Saunders, Johnson, and Nelson families are among the core Rappahannock families from which the modern Tribe traces its descent;

(30) in 1819 and 1820, Edward Bird, John Bird (and his wife), Carter Nelson, Edmund Nelson, and Carter Spurlock (all Rappahannock ancestors) were listed on the tax roles of King and Queen County and taxed at the county poor rate;

(31) Edmund Bird was added to the tax roles in 1821;

(32) those tax records are significant documentation because the great majority of pre-1864 records for King and Queen County were destroyed by fire;

(33) beginning in 1819, and continuing through the 1880s, there was a solid Rappahannock presence in the membership at Upper Essex Baptist Church;

(34) that was the first instance of conversion to Christianity by at least some Rappahannock Indians;

(35) while 26 identifiable and traceable Rappahannock surnames appear on the pre-1863 membership list, and 28 were listed on the 1863 membership roster, the number of surnames listed had declined to 12 in 1878 and had risen only slightly to 14 by 1888;

(36) a reason for the decline is that in 1870, a Methodist circuit rider, Joseph Mastin, secured funds to purchase land and construct St. Stephens Baptist Church for the Rappahannocks living nearby in Caroline County;

(37) Mastin referred to the Rappahannocks during the period of 1850 to 1870 as “Indians, having a great need for moral and Christian guidance”;

(38) St. Stephens was the dominant tribal church until the Rappahannock Indian Baptist Church was established in 1964;

(39) at both churches, the core Rappahannock family names of Bird, Clarke, Fortune, Johnson, Nelson, Parker, and Richardson predominate;

(40) during the early 1900s, James Mooney, noted anthropologist, maintained correspondence with the Rappahannocks, surveying them and instructing them on how to formalize their tribal government;

(41) in November 1920, Speck visited the Rappahannocks and assisted them in organizing the fight for their sovereign rights;

(42) in 1921, the Rappahannocks were granted a charter from the Commonwealth of Virginia formalizing their tribal government;

(43) Speck began a professional relationship with the Tribe that would last more than 30 years and document Rappahannock history and traditions as never before;

(44) in April 1921, Rappahannock Chief George Nelson asked the Governor of Virginia,

Westmoreland Davis, to forward a proclamation to the President of the United States, along with an appended list of tribal members and a handwritten copy of the proclamation itself;

(45) the letter concerned Indian freedom of speech and assembly nationwide;

(46) in 1922, the Rappahannocks established a formal school at Lloyds, Essex County, Virginia;

(47) prior to establishment of the school, Rappahannock children were taught by a tribal member in Central Point, Caroline County, Virginia;

(48) in December 1923, Rappahannock Chief George Nelson testified before Congress appealing for a \$50,000 appropriation to establish an Indian school in Virginia;

(49) in 1930, the Rappahannocks were engaged in an ongoing dispute with the Commonwealth of Virginia and the United States Census Bureau about their classification in the 1930 Federal census;

(50) in January 1930, Rappahannock Chief Otho S. Nelson wrote to Leon Truesdell, Chief Statistician of the United States Census Bureau, asking that the 218 enrolled Rappahannocks be listed as Indians;

(51) in February 1930, Truesdell replied to Nelson saying that "special instructions" were being given about classifying Indians;

(52) in April 1930, Nelson wrote to William M. Stewart at the Census Bureau asking about the enumerators' failure to classify his people as Indians, saying that enumerators had not asked the question about race when they interviewed his people;

(53) in a followup letter to Truesdell, Nelson reported that the enumerators were "flatly denying" his people's request to be listed as Indians and that the race question was completely avoided during interviews;

(54) the Rappahannocks had spoken with Caroline and Essex County enumerators, and with John M.W. Green at that point, without success;

(55) Nelson asked Truesdell to list people as Indians if he sent a list of members;

(56) the matter was settled by William Stewart, who concluded that the Bureau's rule was that people of Indian descent could be classified as "Indian" only if Indian "blood" predominated and "Indian" identity was accepted in the local community;

(57) the Virginia Vital Statistics Bureau classed all nonreservation Indians as "Negro", and it failed to see why "an exception should be made" for the Rappahannocks;

(58) therefore, in 1925, the Indian Rights Association took on the Rappahannock case to assist the Rappahannocks in fighting for their recognition and rights as an Indian tribe;

(59) during the Second World War, the Pamunkeys, Mattaponis, Chickahomines, and Rappahannocks had to fight the draft boards with respect to their racial identities;

(60) the Virginia Vital Statistics Bureau insisted that certain Indian draftees be inducted into Negro units;

(61) finally, 3 Rappahannocks were convicted of violating the Federal draft laws and, after spending time in a Federal prison, were granted conscientious objector status and served out the remainder of the war working in military hospitals;

(62) in 1943, Frank Speck noted that there were approximately 25 communities of Indians left in the Eastern United States that were entitled to Indian classification, including the Rappahannocks;

(63) in the 1940s, Leon Truesdell, Chief Statistician, of the United States Census Bureau, listed 118 members in the Rappahannock Tribe in the Indian population of Virginia;

(64) on April 25, 1940, the Office of Indian Affairs of the Department of the Interior included the Rappahannocks on a list of Indian tribes classified by State and by agency;

(65) in 1948, the Smithsonian Institution Annual Report included an article by William

Harlen Gilbert entitled, "Surviving Indian Groups of the Eastern United States", which included and described the Rappahannock Tribe;

(66) in the late 1940s and early 1950s, the Rappahannocks operated a school at Indian Neck;

(67) the State agreed to pay a tribal teacher to teach 10 students bused by King and Queen County to Sharon Indian School in King William County, Virginia;

(68) in 1965, Rappahannock students entered Marriott High School (a white public school) by executive order of the Governor of Virginia;

(69) in 1972, the Rappahannocks worked with the Coalition of Eastern Native Americans to fight for Federal recognition;

(70) in 1979, the Coalition established a pottery and artisans company, operating with other Virginia tribes;

(71) in 1980, the Rappahannocks received funding through the Administration for Native Americans of the Department of Health and Human Services to develop an economic program for the Tribe; and

(72) in 1983, the Rappahannocks received State recognition as an Indian tribe.

SEC. 402. DEFINITIONS.

In this title:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) TRIBAL MEMBER.—The term "tribal member" means—

(A) an individual who is an enrolled member of the Tribe as of the date of enactment of this Act; and

(B) an individual who has been placed on the membership rolls of the Tribe in accordance with this title.

(3) TRIBE.—

(A) IN GENERAL.—The term "Tribe" means the organization possessing the legal name Rappahannock Tribe, Inc.

(B) EXCLUSIONS.—The term "Tribe" does not include any other Indian tribe, subtribe, band, or splinter group the members of which represent themselves as Rappahannock Indians.

SEC. 403. FEDERAL RECOGNITION.

(a) FEDERAL RECOGNITION.—

(1) IN GENERAL.—Federal recognition is extended to the Tribe.

(2) APPLICABILITY OF LAWS.—All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 (25 U.S.C. 461 et seq.)) that are not inconsistent with this title shall be applicable to the Tribe and tribal members.

(b) FEDERAL SERVICES AND BENEFITS.—

(1) IN GENERAL.—On and after the date of enactment of this Act, the Tribe and tribal members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

(2) SERVICE AREA.—For the purpose of the delivery of Federal services to tribal members, the service area of the Tribe shall be considered to be the area comprised of King and Queen County, Caroline County, Essex County, Spotsylvania County, Stafford County, and Richmond County, Virginia.

SEC. 404. MEMBERSHIP; GOVERNING DOCUMENTS.

The membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents, respectively, submitted by the Tribe to the Secretary before the date of enactment of this Act.

SEC. 405. GOVERNING BODY.

The governing body of the Tribe shall be—

(1) the governing body of the Tribe in place as of the date of enactment of this Act; or

(2) any subsequent governing body elected in accordance with the election procedures specified in the governing documents of the Tribe.

SEC. 406. RESERVATION OF THE TRIBE.

(a) IN GENERAL.—Upon the request of the Tribe, the Secretary of the Interior—

(1) shall take into trust for the benefit of the Tribe any land held in fee by the Tribe that was acquired by the Tribe on or before January 1, 2007, if such lands are located within the boundaries of King and Queen County, Stafford County, Spotsylvania County, Richmond County, Essex County, and Caroline County, Virginia; and

(2) may take into trust for the benefit of the Tribe any land held in fee by the Tribe, if such lands are located within the boundaries of King and Queen County, Stafford County, Spotsylvania County, Richmond County, Essex County, and Caroline County, Virginia.

(b) DEADLINE FOR DETERMINATION.—The Secretary shall make a final written determination not later than three years of the date which the Tribe submits a request for land to be taken into trust under subsection (a)(2) and shall immediately make that determination available to the Tribe.

(c) RESERVATION STATUS.—Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall, upon request of the Tribe, be considered part of the reservation of the Tribe.

(d) GAMING.—The Tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 407. HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.

Nothing in this title expands, reduces, or affects in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

SEC. 408. JURISDICTION OF COMMONWEALTH OF VIRGINIA.

(a) IN GENERAL.—The Commonwealth of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on, lands located within the Commonwealth of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.—The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the Commonwealth of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to reassume such jurisdiction.

TITLE V—MONACAN INDIAN NATION

SEC. 501. FINDINGS.

Congress finds that—

(1) in 1677, the Monacan Tribe signed the Treaty of Middle Plantation between Charles II of England and 12 Indian "Kings and Chief Men";

(2) in 1722, in the Treaty of Albany, Governor Spotswood negotiated to save the Virginia Indians from extinction at the hands of the Iroquois;

(3) specifically mentioned in the negotiations were the Monacan tribes of the Totero (Tutelo), Saponi, Ocheneeches (Occaneechi), Stengenocks, and Meipontskys;

(4) in 1790, the first national census recorded Benjamin Evans and Robert Johns, both ancestors of the present Monacan community, listed as "white" with mulatto children;

(5) in 1782, tax records also began for those families;

(6) in 1850, the United States census recorded 29 families, mostly large, with Monacan surnames, the members of which are genealogically related to the present community;

(7) in 1870, a log structure was built at the Bear Mountain Indian Mission;

(8) in 1908, the structure became an Episcopal Mission and, as of the date of enactment of this

Act, the structure is listed as a landmark on the National Register of Historic Places;

(9) in 1920, 304 Amherst Indians were identified in the United States census;

(10) from 1930 through 1931, numerous letters from Monacans to the Bureau of the Census resulted from the decision of Dr. Walter Plecker, former head of the Bureau of Vital Statistics of the Commonwealth of Virginia, not to allow Indians to register as Indians for the 1930 census;

(11) the Monacans eventually succeeded in being allowed to claim their race, albeit with an asterisk attached to a note from Dr. Plecker stating that there were no Indians in Virginia;

(12) in 1947, D'Arcy McNickle, a Salish Indian, saw some of the children at the Amherst Mission and requested that the Cherokee Agency visit them because they appeared to be Indian;

(13) that letter was forwarded to the Department of the Interior, Office of Indian Affairs, Chicago, Illinois;

(14) Chief Jarrett Blythe of the Eastern Band of Cherokee did visit the Mission and wrote that he "would be willing to accept these children in the Cherokee school";

(15) in 1979, a Federal Coalition of Eastern Native Americans established the entity known as "Monacan Co-operative Pottery" at the Amherst Mission;

(16) some important pieces were produced at Monacan Co-operative Pottery, including a piece that was sold to the Smithsonian Institution;

(17) the Mattaponi-Pamunkey-Monacan Consortium, established in 1981, has since been organized as a nonprofit corporation that serves as a vehicle to obtain funds for those Indian tribes from the Department of Labor under Native American programs;

(18) in 1989, the Monacan Tribe was recognized by the Commonwealth of Virginia, which enabled the Tribe to apply for grants and participate in other programs; and

(19) in 1993, the Monacan Tribe received tax-exempt status as a nonprofit corporation from the Internal Revenue Service.

SEC. 502. DEFINITIONS.

In this title:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) TRIBAL MEMBER.—The term "tribal member" means—

(A) an individual who is an enrolled member of the Tribe as of the date of enactment of this Act; and

(B) an individual who has been placed on the membership rolls of the Tribe in accordance with this title.

(3) TRIBE.—The term "Tribe" means the Monacan Indian Nation.

SEC. 503. FEDERAL RECOGNITION.

(a) FEDERAL RECOGNITION.—

(1) IN GENERAL.—Federal recognition is extended to the Tribe.

(2) APPLICABILITY OF LAWS.—All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 (25 U.S.C. 461 et seq.)) that are not inconsistent with this title shall be applicable to the Tribe and tribal members.

(b) FEDERAL SERVICES AND BENEFITS.—

(1) IN GENERAL.—On and after the date of enactment of this Act, the Tribe and tribal members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

(2) SERVICE AREA.—For the purpose of the delivery of Federal services to tribal members, the service area of the Tribe shall be considered to be the area comprised of all land within 25 miles from the center of Amherst, Virginia.

SEC. 504. MEMBERSHIP; GOVERNING DOCUMENTS.

The membership roll and governing documents of the Tribe shall be the most recent membership

roll and governing documents, respectively, submitted by the Tribe to the Secretary before the date of enactment of this Act.

SEC. 505. GOVERNING BODY.

The governing body of the Tribe shall be—

(1) the governing body of the Tribe in place as of the date of enactment of this Act; or

(2) any subsequent governing body elected in accordance with the election procedures specified in the governing documents of the Tribe.

SEC. 506. RESERVATION OF THE TRIBE.

(a) IN GENERAL.—Upon the request of the Tribe, the Secretary of the Interior—

(1) shall take into trust for the benefit of the Tribe any land held in fee by the Tribe that was acquired by the Tribe on or before January 1, 2007, if such lands are located within the boundaries of Albemarle County, Alleghany County, Amherst County, Augusta County, Campbell County, Nelson County, and Rockbridge County, Virginia; and

(2) may take into trust for the benefit of the Tribe any land held in fee by the Tribe, if such lands are located within the boundaries of Albemarle County, Alleghany County, Amherst County, Augusta County, Campbell County, Nelson County, and Rockbridge County, Virginia.

(b) DEADLINE FOR DETERMINATION.—The Secretary shall make a final written determination not later than three years of the date which the Tribe submits a request for land to be taken into trust under subsection (a)(2) and shall immediately make that determination available to the Tribe.

(c) RESERVATION STATUS.—Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall, upon request of the Tribe, be considered part of the reservation of the Tribe.

(d) GAMING.—The Tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 507. HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.

Nothing in this title expands, reduces, or affects in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

SEC. 508. JURISDICTION OF COMMONWEALTH OF VIRGINIA.

(a) IN GENERAL.—The Commonwealth of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on, lands located within the Commonwealth of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.—The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the Commonwealth of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to re-assume such jurisdiction.

TITLE VI—NANSEMOND INDIAN TRIBE

SEC. 601. FINDINGS.

Congress finds that—

(1) from 1607 until 1646, Nansemond Indians—

(A) lived approximately 30 miles from Jamestown; and

(B) were significantly involved in English-Indian affairs;

(2) after 1646, there were 2 sections of Nansemonds in communication with each other, the Christianized Nansemonds in Norfolk County, who lived as citizens, and the traditionalist Nansemonds, who lived further west;

(3) in 1638, according to an entry in a 17th century sermon book still owned by the Chief's family, a Norfolk County Englishman married a Nansemond woman;

(4) that man and woman are lineal ancestors of all of members of the Nansemond Indian tribe alive as of the date of enactment of this Act, as are some of the traditionalist Nansemonds;

(5) in 1669, the 2 Nansemond sections appeared in Virginia Colony's census of Indian bowmen;

(6) in 1677, Nansemond Indians were signatories to the Treaty of 1677 with the King of England;

(7) in 1700 and 1704, the Nansemonds and other Virginia Indian tribes were prevented by Virginia Colony from making a separate peace with the Iroquois;

(8) Virginia represented those Indian tribes in the final Treaty of Albany, 1722;

(9) in 1711, a Nansemond boy attended the Indian School at the College of William and Mary;

(10) in 1727, Norfolk County granted William Bass and his kinsmen the "Indian privileges" of clearing swamp land and bearing arms (which privileges were forbidden to other nonwhites) because of their Nansemond ancestry, which meant that Bass and his kinsmen were original inhabitants of that land;

(11) in 1742, Norfolk County issued a certificate of Nansemond descent to William Bass;

(12) from the 1740s to the 1790s, the traditionalist section of the Nansemond tribe, 40 miles west of the Christianized Nansemonds, was dealing with reservation land;

(13) the last surviving members of that section sold out in 1792 with the permission of the Commonwealth of Virginia;

(14) in 1797, Norfolk County issued a certificate stating that William Bass was of Indian and English descent, and that his Indian line of ancestry ran directly back to the early 18th century elder in a traditionalist section of Nansemonds on the reservation;

(15) in 1833, Virginia enacted a law enabling people of European and Indian descent to obtain a special certificate of ancestry;

(16) the law originated from the county in which Nansemonds lived, and mostly Nansemonds, with a few people from other counties, took advantage of the new law;

(17) a Methodist mission established around 1850 for Nansemonds is currently a standard Methodist congregation with Nansemond members;

(18) in 1901, Smithsonian anthropologist James Mooney—

(A) visited the Nansemonds; and

(B) completed a tribal census that counted 61 households and was later published;

(19) in 1922, Nansemonds were given a special Indian school in the segregated school system of Norfolk County;

(20) the school survived only a few years;

(21) in 1928, University of Pennsylvania anthropologist Frank Speck published a book on modern Virginia Indians that included a section on the Nansemonds; and

(22) the Nansemonds were organized formally, with elected officers, in 1984, and later applied for and received State recognition.

SEC. 602. DEFINITIONS.

In this title:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) TRIBAL MEMBER.—The term "tribal member" means—

(A) an individual who is an enrolled member of the Tribe as of the date of enactment of this Act; and

(B) an individual who has been placed on the membership rolls of the Tribe in accordance with this title.

(3) TRIBE.—The term "Tribe" means the Nansemond Indian Tribe.

SEC. 603. FEDERAL RECOGNITION.

(a) FEDERAL RECOGNITION.—

(1) *IN GENERAL.*—Federal recognition is extended to the Tribe.

(2) *APPLICABILITY OF LAWS.*—All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 (25 U.S.C. 461 et seq.)) that are not inconsistent with this title shall be applicable to the Tribe and tribal members.

(b) *FEDERAL SERVICES AND BENEFITS.*—

(1) *IN GENERAL.*—On and after the date of enactment of this Act, the Tribe and tribal members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

(2) *SERVICE AREA.*—For the purpose of the delivery of Federal services to tribal members, the service area of the Tribe shall be considered to be the area comprised of the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach, Virginia.

SEC. 604. MEMBERSHIP; GOVERNING DOCUMENTS.

The membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents, respectively, submitted by the Tribe to the Secretary before the date of enactment of this Act.

SEC. 605. GOVERNING BODY.

The governing body of the Tribe shall be—

(1) the governing body of the Tribe in place as of the date of enactment of this Act; or

(2) any subsequent governing body elected in accordance with the election procedures specified in the governing documents of the Tribe.

SEC. 606. RESERVATION OF THE TRIBE.

(a) *IN GENERAL.*—Upon the request of the Tribe, the Secretary of the Interior—

(1) shall take into trust for the benefit of the Tribe any land held in fee by the Tribe that was acquired by the Tribe on or before January 1, 2007, if such lands are located within the boundaries of the city of Suffolk, the city of Chesapeake, or Isle of Wight County, Virginia; and

(2) may take into trust for the benefit of the Tribe any land held in fee by the Tribe, if such lands are located within the boundaries of the city of Suffolk, the city of Chesapeake, or Isle of Wight County, Virginia.

(b) *DEADLINE FOR DETERMINATION.*—The Secretary shall make a final written determination not later than three years of the date which the Tribe submits a request for land to be taken into trust under subsection (a)(2) and shall immediately make that determination available to the Tribe.

(c) *RESERVATION STATUS.*—Any land taken into trust for the benefit of the Tribe pursuant to this paragraph shall, upon request of the Tribe, be considered part of the reservation of the Tribe.

(d) *GAMING.*—The Tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

SEC. 607. HUNTING, FISHING, TRAPPING, GATHERING, AND WATER RIGHTS.

Nothing in this title expands, reduces, or affects in any manner any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

SEC. 608. JURISDICTION OF COMMONWEALTH OF VIRGINIA.

(a) *IN GENERAL.*—The Commonwealth of Virginia shall exercise jurisdiction over—

(1) all criminal offenses that are committed on; and

(2) all civil actions that arise on, lands located within the Commonwealth of Virginia that are owned by, or held in trust by the United States for, the Tribe.

(b) *ACCEPTANCE OF STATE JURISDICTION BY SECRETARY.*—The Secretary of the Interior is

authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, all or any portion of the jurisdiction of the Commonwealth of Virginia described in subsection (a) upon verification by the Secretary of a certification by a tribe that it possesses the capacity to re-assume such jurisdiction.

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 111–131. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. GOODLATTE

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–131.

Mr. GOODLATTE. I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. GOODLATTE:

At the end of the bill, add the following new title:

TITLE VII—EMINENT DOMAIN

SEC. 701. LIMITATION.

Eminent domain may not be used to acquire lands in fee or in trust for an Indian tribe recognized under this Act.

The CHAIR. Pursuant to House Resolution 490, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I rise today to offer an amendment to H.R. 1385, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act. Given that this bill could dramatically change localities in Virginia, I am offering an amendment to provide an additional protection for private property. This amendment would ensure that no use of eminent domain could be used to acquire private property to transfer it to the tribes. This would ensure that lands are not taken out of current private use for the sole purpose of expanding tribal lands and ensure some protection for private residents and localities. The bill greatly expands the congressionally recommended areas in which tribes can acquire lands for their trust. Given that this is a great expansion in comparison to versions of this bill introduced in previous Congresses, I believe that it is necessary and appropriate to provide this level of protection. I hope my colleagues will join me in supporting this amendment.

Mr. RAHALL. Would the gentleman yield?

Mr. GOODLATTE. I will be happy to yield.

Mr. RAHALL. I appreciate the gentleman yielding.

Under existing law, as the gentleman knows, and under this legislation, the Interior Secretary may place land owned by an Indian tribe into trust as part of a tribe's reservation. Eminent domain does not enter the picture.

Indeed, the pending legislation states for each of the six tribes involved that the Secretary may take into trust "any land held in fee by the tribe that was acquired by the tribe." Considering that neither the Interior Secretary or, for that matter, these tribes, made eminent domain authority, the gentleman's amendment is chasing a problem that does not exist. But having said that, if it makes the gentleman from Virginia feel better, and if it makes him more comfortable with this bill, and since it does pose no harm, I will accept the amendment.

□ 1400

Mr. GOODLATTE. Reclaiming my time, the chairman makes me feel a lot better, and I'm pleased that he will accept my amendment.

I yield back the balance of my time.

The Acting CHAIR (Ms. BALDWIN). The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111–131.

Mr. GOODLATTE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. GOODLATTE:

Page 51, beginning on line 1, strike "Albermarle" and all that follows through "Virginia" on line 4 and insert "Amherst County, Virginia".

Page 51, line 7, strike "Albermarle" and all that follows through "Virginia" on line 10 and insert "Amherst County, Virginia".

The Acting CHAIR. Pursuant to House Resolution 490, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Madam Chairman, I have always supported granting these six Virginia tribes Federal recognition, and I am extremely happy that that bill has included language that seeks to prevent casino-style gaming in the Commonwealth of Virginia. However, I was troubled to learn of a change that was made to the bill without notification to any of the local communities that would be affected.

In the section dealing with the Monacan Indian Tribe, the area that the tribe could have placed in trust for their reservation grew from one county to seven. Originally, it was an area of approximately 479 square miles, and now it's an area of approximately 3,728 square miles.

What is even more disturbing to me is that none of these new localities knew that they would be part of an area in which the tribes could acquire lands. My office only discovered it once the bill was scheduled for floor consideration.

This bill could dramatically affect these counties. If tribal lands were established in these counties, it could mean the localities would lose all control of the lands that were placed in trust in them. We would no longer be in control of zoning, environmental reviews, and these localities could no longer collect tax revenues from these lands. These are serious concerns and could greatly impact operations of the counties.

The fact that the bill would establish tribal land in these counties is a total surprise to these jurisdictions. They have not had a sufficient opportunity to discuss and study how such a change would affect them.

The addition of these new counties is also a total surprise to me and the counties involved, and they should be removed from this bill. I've also spoken to my colleagues, TOM PERRIELLO and RICK BOUCHER of the Fifth and Ninth Congressional Districts, who also represent these newly added counties, and they also support this amendment.

These communities should have the right to know how these changes will affect them as far as this legislation is concerned and the far-reaching consequences that could permanently change central Virginia.

I reserve the balance of my time.

Mr. MORAN of Virginia. I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. MORAN of Virginia. Madam Chairman, first of all, this land was the Indians' land. The Monacan tribe owned much of this land. It was taken from them.

Now, in terms of the counties that my friend, Mr. GOODLATTE, has included, there is no land currently that would be placed in trust. All they want is the ability to place land in trust because of the recent Supreme Court decision that said that the Secretary of the Interior does not have discretion to do this.

Now, this Supreme Court decision just occurred in February, so it's a brand new context in which these things are dealt with. If it had not been for the Supreme Court decision, these additional counties would not have been added. But they're added in case people in those counties who are understanding of the plight of the Monacan Indians chose to provide land to them. We don't know that that's even going to occur. There is only one very small parcel of land that the Monacan tribe is aware of that it would receive from a current landowner in Rockbridge County.

Now, the Indian tribes have compromised so much for so long, I think

that they would compromise again if necessary. But to deny them this one small plot of land that's relatively isolated, it's certainly a long ways from Interstate 81 or any main highway, it doesn't seem to me fair.

So if the gentleman was willing to accommodate that land in Rockbridge County, maybe, once again, the Indian tribes would agree to compromise and preclude the other counties included in Mr. GOODLATTE's amendment.

I will reserve the balance of my time.

Mr. GOODLATTE. Madam Chairman, I yield myself such time as I may consume to say the gentleman's points are well taken. We certainly understand the concerns of the tribe and the interests of the individual who owns the land in Rockbridge County that would like to have it taken into trust.

My concern, of course, is that this has happened at a late hour and, as you know, we've been scrambling to figure out exactly what that land is. We now think we have a reasonably good definition of it, and subject to the approval of the local government, I think that we could agree on language. And if the chairman and the ranking member, or other Members for that matter, do not object, I would be prepared to make a unanimous consent request.

The Acting CHAIR. The Chair would inquire whether the gentleman is submitting a modification.

Mr. GOODLATTE. I am. I am asking unanimous consent to submit a modification.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 2 offered by Mr. GOODLATTE:

In lieu of the matter proposed to be inserted, insert the following:

Page 51, beginning on line 1, strike "Albermarle" and all that follows through "Virginia" on line 4 and insert "Amherst County, Virginia."

Page 51, beginning on line 7, strike "Albermarle" and all that follows through "Virginia" on line 10 and insert "Amherst County, Virginia, and those parcels in Rockbridge County, Virginia (subject to the consent of the local unit of government), owned by Mr. J. Poole, described as East 731 Sandbridge (encompassing approximately 4.74 acres) and East 731 (encompassing approximately 5.12 acres))."

The Acting CHAIR. Is there objection to the modification?

Mr. MORAN of Virginia. Reserving the right to object, my concern with this modification is only one; not the specificity of the modifying amendment, but it's subject to the approval of Rockbridge County. What does that mean? Does there have to be some formal legislation passed by Rockbridge County? Is it the County Board? Do they have to pass formal legislation and by when?

I would be fine with it up to the approval part, but I don't know what the approval part constitutes.

Mr. GOODLATTE. If the gentleman would yield, the consent of the local unit of government, to me, would mean the approval of the Rockbridge County

Board of Supervisors by way of an ordinance or some other measure that they would pass, a resolution, approving the action taken. If the gentleman has some perfecting language, I'm certainly willing to consider it.

Mr. MORAN of Virginia. Would the gentleman accept language that said, "unless disapproved by the Rockbridge County government"?

In other words, I hate to have it so that the Rockbridge County government can just decide to sit on this indefinitely. But if they specifically, through their County Board, disapproved it, then I guess that would be acceptable. But I don't want to give the kind of leverage where inaction might preclude this from occurring.

Mr. GOODLATTE. Well, if the gentleman would yield further, I take the gentleman's point. However, by the same token, we would have to have some kind of a date by which they would have to act in disapproval, because otherwise they could disapprove some time well into the future. So I think that the appropriate step here would be to adopt this amendment with the unanimous consent modification, if no one objects to that, and then the tribe would then proceed to go to the Rockbridge County Board of Supervisors and ask them to approve this. If they refuse to approve it, they would still have the opportunity to come back in the future and ask them for approval at a later date. Whereas, the gentleman's language might be more confusing.

Mr. MORAN of Virginia. By the same token, unless disapproved within 180 days of passage, because your argument applies just as well.

Mr. GOODLATTE. If the gentleman would yield, I don't think the gentleman is going down the right track because the gentleman who owns this land is still living, and it's my understanding that he's going to convey the land in a testamentary document, and therefore, to try to set a date for the action by the board seems to me to be trying to put the cart before the horse. I believe that I must insist, myself, on my own unanimous consent request.

Mr. MORAN of Virginia. The gentleman makes a legitimate point, and I will withdraw my reservation.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Madam Chairman, with that modification, I would urge my colleagues to support the amendment. And I do believe that this is a good and effective way to address the concerns that I raise and were raised by Congressman PERRIELLO and Congressman BOUCHER in my conversations with them and my staffs conversations with their staffs about the impact that this could have on these particular localities. And, therefore, I would ask my colleagues to support the amendment, as modified.

I yield back the balance of my time.
The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE), as modified.

The amendment, as modified, was agreed to.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DOYLE) having assumed the chair, Ms. BALDWIN, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1385) to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, pursuant to House Resolution 490, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore (Ms. BALDWIN). Without objection, the title of H.R. 1385 is amended to read as follows:

To extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe.

□ 1415

GENERAL LEAVE

Mr. RAHALL. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 31.

The SPEAKER pro tempore (Ms. BALDWIN). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

H.R. 31, LUMBEE RECOGNITION ACT

Mr. RAHALL. Madam Speaker, pursuant to House Resolution 490, I call up

the bill (H.R. 31) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 490, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 31

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lumbee Recognition Act".

SEC. 2. PREAMBLE.

The preamble to the Act of June 7, 1956 (70 Stat. 254), is amended as follows:

(1) By striking "and" at the end of each clause.

(2) By striking "Now, therefore," at the end of the last clause and inserting a semicolon.

(3) By adding at the end the following new clauses:

"Whereas the Lumbee Indians of Robeson and adjoining counties in North Carolina are descendants of coastal North Carolina Indian tribes, principally Cheraw, and have remained a distinct Indian community since the time of contact with white settlers;

"Whereas since 1885 the State of North Carolina has recognized the Lumbee Indians as an Indian tribe;

"Whereas in 1956 the Congress of the United States acknowledged the Lumbee Indians as an Indian tribe, but withheld from the Lumbee Tribe the benefits, privileges and immunities to which the Tribe and its members otherwise would have been entitled by virtue of the Tribe's status as a federally recognized tribe; and

"Whereas the Congress finds that the Lumbee Indians should now be entitled to full Federal recognition of their status as an Indian tribe and that the benefits, privileges and immunities that accompany such status should be accorded to the Lumbee Tribe: Now, therefore,".

SEC. 3. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254), is amended as follows:

(1) By striking the last sentence of the first section.

(2) By striking section 2 and inserting the following new sections:

"SEC. 2. (a) Federal recognition is hereby extended to the Lumbee Tribe of North Carolina, as designated as petitioner number 65 by the Office of Federal Acknowledgement. All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Lumbee Tribe of North Carolina and its members.

"(b) Notwithstanding the first section, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Lumbee Tribe of North Carolina as determined under section 3(c), may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgement of tribal existence.

"SEC. 3. (a) The Lumbee Tribe of North Carolina and its members shall be eligible for all services and benefits provided to Indians because of their status as members of a federally recognized tribe. For the purposes of the delivery of such services, those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

"(b) Upon verification by the Secretary of the Interior of a tribal roll under subsection (c), the Secretary of the Interior and the Secretary of Health and Human Services shall develop, in consultation with the Lumbee Tribe of North Carolina, a determination of needs to provide the services to which members of the Tribe are eligible. The Secretary of the Interior and the Secretary of Health and Human Services shall each submit a written statement of such needs to Congress after the tribal roll is verified.

"(c) For purposes of the delivery of Federal services, the tribal roll in effect on the date of the enactment of this section shall, subject to verification by the Secretary of the Interior, define the service population of the Tribe. The Secretary's verification shall be limited to confirming compliance with the membership criteria set out in the Tribe's constitution adopted on November 16, 2001, which verification shall be completed within 2 years after the date of the enactment of this section.

"SEC. 4. (a) The Secretary may take land into trust for the Lumbee Tribe pursuant to this Act. An application to take land located within Robeson County, North Carolina, into trust under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulation (or a successor regulation).

"(b) The tribe may not conduct gaming activities as a matter of claimed inherent authority or under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under any regulations thereunder promulgated by the Secretary or the National Indian Gaming Commission.

"SEC. 5. (a) The State of North Carolina shall exercise jurisdiction over—

"(1) all criminal offenses that are committed on; and

"(2) all civil actions that arise on, lands located within the State of North Carolina that are owned by, or held in trust by the United States for, the Lumbee Tribe of North Carolina, or any dependent Indian community of the Lumbee Tribe of North Carolina.

"(b) The Secretary of the Interior is authorized to accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) pursuant to an agreement between the Lumbee Tribe and the State of North Carolina. Such transfer of jurisdiction may not take effect until 2 years after the effective date of the agreement.

"(c) The provisions of this section shall not affect the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

"SEC. 6. There are authorized to be appropriated such sums as are necessary to carry out this Act."

The SPEAKER pro tempore. The gentleman from West Virginia (Mr. RAHALL) and the gentleman from Washington (Mr. HASTINGS) each will control 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. To my colleagues on both sides of the aisle, let me begin by saying that this measure, which would extend Federal recognition to the Lumbee Tribe of North Carolina, is more than a century overdue. When 240 of us voted for Federal recognition during the 102nd Congress, that should have resolved the question of Lumbee status. When we voted again in favor of similar legislation in the 103rd Congress, that certainly should have meant that the United States had finally taken a stand and done the right

thing by acknowledging a trust relationship with the Lumbee Tribe, but it was not to be. Last Congress, the Lumbee Tribe Recognition Act passed the House of Representatives with 256 votes but, unfortunately, this legislation stalled in the Senate.

So here we are again today, over 115 years after the Lumbee first sought Federal recognition, still attempting to clarify their status.

The history and struggle of the Lumbee Tribe to obtain Federal acknowledgment has been well documented. When Congress passed the Lumbee Act of 1956, it simultaneously recognized and terminated the Lumbee Tribe by acknowledging their status as an Indian tribe by denying them Federal service. That act was passed during the era of Federal Indian policy known as the Termination Era. If you examine the results of the Termination Acts of the 1950s, you would see how detrimental that misguided policy was to the terminated tribes. Through it all, the Lumbee Tribe has managed to maintain their sense of community and provide some services to their citizens.

This is a testament to the fact that the Lumbees have a functioning government worthy of Federal acknowledgment. Yet the Lumbee people still do not have the government-to-government relationship they deserve. At no time has the Department of the Interior ever opposed Federal recognition for this tribe based on the belief that the Lumbees are not entitled to such status. Indeed, the Department has repeatedly concluded that the Lumbee Tribe descends from similar speaking tribes.

Several studies undertaken by the Department have consistently concluded that the Lumbees are a distinct, self-governing Indian community which has been historically located on the Lumbee River in North Carolina.

During President Obama's campaign, he pledged his full support for recognition of the Lumbee people. At the Natural Resources hearing this year, the administration testified in support of H.R. 31 stating: "There are rare circumstances when Congress should intervene and recognize a tribal group. And the case of Lumbee Indians is one such case."

During this debate, we may hear a number of canards against Lumbee recognition but not one will be a legitimate reason to deny recognition. One such relates to the different names given the Lumbee Tribe. Although the State of North Carolina has recognized the tribe for over 100 years, it has done so under various names. Other than the Lumbee Tribe, North Carolina is responsible for the various names that it imposed upon the tribe. It was not until the tribe pressured the State that the tribe was authorized to conduct a referendum to choose their own name. When it did so in 1951, it chose the name Lumbee Indians of North Carolina. This is the only name ever selected by the tribe, and it is this name

by which Congress, in 1956, recognized the Lumbees.

Some have expressed concern about the cost of this bill, and I want to note that the cost of this bill is for discretionary programs only. There is no mandatory spending. Any actual costs to this bill are subject to appropriations.

To address claims that the tribe was only interested in Federal recognition so that they may conduct gaming, the tribe supported an outright gaming prohibition which has been included in this bill. The gaming prohibition precludes the Lumbee Tribe from engaging in, licensing, or regulating gaming pursuant to the Indian Gaming Regulatory Act or any other Federal law.

Finally, some may argue that the Lumbees should not be allowed to bypass administrative process established by the Bureau of Indian Affairs and should be allowed to go through the administrative process. I can assure you extending Federal recognition to a tribe at this time is not something new, nor does it bypass administrative process. If a tribe has been terminated by the Federal Government, they are ineligible for the administrative process.

Because we, the Congress, terminated the Lumbees in 1956, it is solely our responsibility to restore their status.

In closing, I would like to commend the gentleman from North Carolina, Mr. MIKE MCINTYRE, for his dedication to this issue. Over the years, he has acted in a professional and respectful manner in his tireless efforts, his superb leadership. This bill has garnered 185 cosponsors. Mr. MCINTYRE's dedication to the Lumbee people is most admirable, and I'm sure they recognize and salute him for that dedication.

I would also like to commend the Lumbee Tribe for being extremely patient with Congress as we have failed to clarify their status for far too long.

In the face of adversity, their determination and sheer stamina has served as testament to their belief in who they are as a people. They have endured rejection by Congress, hostility by the Bureau of Indian Affairs, and have even been snubbed in their quest by neighboring Indian tribes unwilling to have the Lumbee recognized the Congress as they were.

All the Lumbee want is the respect of being acknowledged for who they are—an American Indian tribe.

Let us join this effort to grant the Lumbee the recognition they have so long deserved. It is up to us to do the right thing by extending Federal recognition to the Lumbee Tribe, and I urge all of my colleagues to support H.R. 31.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Madam Speaker, I rise in opposition to H.R. 31, and I do so because I believe this bill sets a bad precedent. It extends Federal recognition to what I understand would become the third largest tribe in the country. Though the

size of the Lumbee Tribe does not disqualify it from consideration for recognition, it does demand, nonetheless, that Congress exercise great caution. And I will point that out later on in my remarks.

Madam Speaker, a fundamental principle of Indian law is that a recognized tribe should be a tribe that can trace continuous existence from the earliest days of our Republic to the present. In fact, this is enshrined in one of the seven mandatory criteria that the Bureau of Indian Affairs, or BIA, uses to evaluate petitions from groups seeking recognition. The BIA process might have its problems, but at least it has a clear set of standards that a petitioner must meet.

We in Congress do not seem to have a clear standard for determining that the Lumbee Tribe warrants recognition. Legislative proposals to recognize the Lumbee has surfaced numerous times over the last century, yet none were enacted. No new information has come to light to justify passing that legislation today. Moreover, the committee applied no visible standard for determining why the Lumbees warrant recognition while other groups do not. Unless the House develops a clear, rational, fixed policy on recognition, then our act of recognizing a tribe would deem to be arbitrary. This could undermine the standing of recognized tribes everywhere.

The lack of transparent standards in H.R. 31 leads to a major issue: the tribe size and the cost of providing services to it. Two years ago when we considered the same legislation, the Congressional Budget Office, or CBO, estimated that recognizing the Lumbees would cost taxpayers \$480 million over 5 years based on an enrollment of about 40,000 members. Today, CBO advises that the bill is going to cost \$786 million over 5 years based on a tribal enrollment of 54,000.

\$786 million, Madam Speaker, is an enormous sum and it could force the BIA and the Indian Health Service to alter formulas for the provisions of service to all other tribes, possibly reducing their allocation.

A recent news article in the North Carolina paper indicates the tribal rolls are closed because of the concerns over the size of the tribe. The implication is that the tribal rolls will be reopened again after Congress passes this bill. As I said earlier, the size of the tribe is not an issue here. What is at issue is the kind of enrollment standards the tribe applies because taxpayers and other tribes want to know what the cost implications will be down the road.

Let me restate a few points that I made when the Committee on Natural Resources marked up this measure, because the objections and the concerns that I raised then have not been resolved today.

First, the Obama administration testified in support of H.R. 31, reversing the stance of the previous administration. In the committee hearing on the

bill, the Department's witness did not explain how the administration came to the conclusion that the Lumbees warrant Federal recognition. When I asked the witness who was at the Department who made the decision, his reply was, The political leadership.

The Secretary of the Interior, Ken Salazar, is the top political leader there. I would note since the day he took office, Secretary Salazar has repeatedly stressed that his decisions will be based on the law and sound science. For example, an Interior news release quotes him as saying: "My first priority at Interior is to lead the Department with openness in decision making, high ethical standards, and respect to scientific integrity." Again, this is from a news release that was sent out by the Department.

We are debating a bill about tribal recognition and the Department of the Interior is supposed to base its recognition decisions based on the research of the professional historians, anthropologists, and genealogists employed in the Bureau of Indian Affairs.

So in this new leadership at Interior, how did this new leadership at Interior and the administration arrive at support of H.R. 31? Was it because of the professional opinion of those career social scientists? Was there openness in this decisionmaking? I think the answer is no. The Department has not provided the committee with any data supporting its conclusion that the Lumbee met the same basic criteria as other tribes the Secretary has recognized.

While there are a number of other concerns with H.R. 31, let me highlight one more which is extremely important. While the Constitution grants Congress plenary authority to recognize a tribe, the Congress must respect some reasonable limits on the exercise of this authority. To do otherwise undermines the whole notion of tribal recognition and thereby dishonors all validly recognized tribes. With this in mind, the House today should, at a minimum, ensure that a tribe being formally recognized descends from a known historic tribe.

□ 1430

H.R. 31 fails this test. The legislation limits the Secretary to "confirming compliance with the membership criteria set out in the Tribe's constitution."

The tribe has testified that its members are descendants of coastal North Carolina tribes. At a minimum, the Secretary should verify that every member of the tribe descends from such historic tribes. Such verification has not been done, and it is not required under H.R. 31. It could have been done if the amendment filed by the gentleman from North Carolina (Mr. SHULER) were made in order by the Rules Committee, but the Rules Committee chose not to make his amendment in order.

His amendment would have required the Secretary to evaluate the Lumbee

recognition petition using the Bureau of Indian Affairs' seven mandatory criteria. One of the criteria requires a petitioner to show that its membership consists of individuals who descend from a historic Indian tribe.

H.R. 31, again, Madam Speaker, does not impose a reasonable standard that justifies the recognition of the Lumbee Tribe.

So with that, Madam Speaker, I reserve the balance of my time.

Mr. RAHALL. Madam Speaker, I'm most delighted to yield 10 minutes to the distinguished gentleman from North Carolina (Mr. MCINTYRE), lead sponsor of this legislation, and, again, commend him for his tremendous leadership.

(Mr. MCINTYRE asked and was given permission to revise and extend his remarks.)

Mr. MCINTYRE. Madam Speaker, the members of the Lumbee Tribe, many of whom are here from the tribal council today, and I appreciate Chairman RAHALL's strong support of the Lumbee Tribe in the past and your willingness to cosponsor this bill for Federal recognition to bring long overdue justice to the recognition of this tribe.

Madam Speaker, I place into the RECORD four letters from all of North Carolina's Governors, both Democratic and Republican, from the last 32 years in recognition and desire that this tribe be federally recognized.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
Raleigh, NC, May 1, 2009.

Hon. NICK J. RAHALL II,
Chair, Natural Resources Committee, House of
Representatives, Longworth House Office
Building, Washington, DC.

Hon. DOC HASTINGS,
Ranking Member, Natural Resources Committee,
House of Representatives, Longworth House
Office Building, Washington, DC.

DEAR CONGRESSMAN RAHALL AND CONGRESSMAN HASTINGS: Thank you for the opportunity to submit written comments about pending legislation for federal recognition of the Lumbee Tribe of North Carolina by the Congress of the United States of America.

I am writing to express my support for the century-long effort of the Lumbee Tribe of North Carolina to attain a favorable decision on federal recognition. Both Republican and Democratic administrations have supported Lumbee efforts, and the State of North Carolina has recognized the Lumbees as a Tribe. The Lumbee people have waited too long on a decision on federal recognition, and the US Congress should give them this opportunity.

As you know, the Lumbee Tribe has sought federal recognition since 1888, after being recognized by the State of North Carolina as the "Croatan" Tribe in 1885. In 1956, the Congress acknowledged that Lumbees were Indians, but at the request of the Department of the Interior, included language in this legislation that precluded access to federal funds. This left the Lumbees without a federal relationship as an Indian tribe. This provision also halted the efforts of the Lumbees to gain federal acknowledgement through the federal acknowledgement process at the Department of the Interior. I understand that Congress has enacted special legislation to address special circumstances such as these.

I thank the House and the Natural Resources Committee for holding this hearing and for allowing me to offer written com-

ments about the Lumbee Tribe recognition bill.

Thank you for your consideration.

Sincerely,

BEVERLY PERDUE,
Governor.

STATE OF NORTH CAROLINA,
Raleigh, NC, April 18, 2007.

Hon. NICK J. RAHALL II,
Chair, Natural Resources Committee, House of
Representatives, Longworth House Office
Building, Washington, DC.

Hon. DON YOUNG,
Ranking Member, Natural Resources Committee,
House of Representatives, Longworth House
Office Building, Washington, DC.

DEAR CONGRESSMAN RAHALL AND CONGRESSMAN YOUNG: Thank you for the opportunity to submit written comments about pending legislation for federal recognition of the Lumbee Tribe of North Carolina by the Congress of the United States of America. I believe full federal recognition of the Lumbee Tribe by Congress is long overdue.

Recognition of and interaction with the Lumbee people as a unique, distinct Indian tribe began when settlers from Virginia, South Carolina and Europe first arrived in the Cape Fear and Pee Dee River Basins after the Tuscarora War (1711-1715). There, the settlers encountered a well-populated, cohesive American Indian tribal group situated mostly along and to the west of what is now known as the Lumber River in Robeson County. As early as 1890, the U.S. Department of Interior acknowledged this fact among others as evidence that the Lumbee people are American Indians.

A proclamation by colonial Governor Matthew Rowan on May 10, 1753 stated that Drowning Creek (Lumber River in Robeson County) was "the Indian Frontier." Other historical records of the eighteenth and early nineteenth centuries, including Revolutionary War pensions for Lumbees who fought for American independence, attest to the Lumbees as American Indians.

In 1885, North Carolina's General Assembly passed a bill recognizing and naming the Lumbee tribe "Croatan." In 1911 the General Assembly changed their name to the "Indians of Robeson County" and in 1913 to "Cherokee Indians of Robeson County." None of these names was chosen by the tribe. In 1953, the State officially changed the tribe's name to "Lumbee Tribe of North Carolina" following a 1952 tribal referendum requested by the Lumbees and paid for by the State in which this name was overwhelmingly chosen. These names all apply to the same American Indian tribe.

For more than a century, North Carolina's Governors, various state legislators and Members of the North Carolina Congressional delegation have supported the effort by the Lumbee Tribe to obtain federal recognition, beginning with a petition to Congress in 1888. Enclosed are copies of letters by former Governors James G. Martin (R) and James B. Hunt, Jr., (D)—my immediate predecessors—attesting to the strong bipartisan support for federal recognition that the Lumbee Tribe has enjoyed during the last generation.

In the past, federal recognition has been denied because of opposition by the Bureau of Indian Affairs and Department of the Interior on budgetary grounds. Each of several federal investigations into the Lumbees' history, genealogy and ethnicity has concluded that the Lumbees are in fact American Indians. It follows that federal recognition should be authorized for this long-standing American Indian Tribe.

Personally and on behalf of North Carolina, I offer to our fellow Lumbee citizens

and to the Congress our full, unqualified support for Congressional recognition of the Lumbee Tribe. I encourage your support for the Lumbee Tribe and for the adoption of this bill.

I thank the House and the Natural Resources Committee for holding this hearing and for allowing me to offer written comments about the Lumbee Tribe recognition bill.

With warm personal regards, I remain
Very truly yours,

MICHAEL F. EASLEY,
Governor.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
Raleigh, March 11, 1993.

Hon. BRUCE BABBITT,
Secretary, U.S. Department of Interior, Washington, DC.

DEAR BRUCE: I am pleased that you were able to be in our state recently and I appreciated the opportunity to meet with you.

There are approximately 40,000 Lumbee Indians living in North Carolina and they have been officially recognized by the State of North Carolina since 1885. The Lumbees have been seeking federal recognition since 1888. Seven studies have shown them to be an independent Indian community.

I would like to reiterate my strong support for the Congressional process for federal recognition of the Lumbee Indian tribe in North Carolina. As you know H. R. 334, introduced by Congressman Charlie Rose of North Carolina, would provide such recognition. We support that legislation as stated in my letter of January 28, 1993.

Federal recognition of the tribe has been endorsed by the N.C. Commission of Indian Affairs, the Governors' Interstate Indian Council, and the National Congress of American Indians which is the oldest and largest Indian organization in the country.

In 1956 a bill was passed by the Congress to recognize the Lumbee tribe, but it denied the tribe the benefits or protections afforded to Indians by the U.S. of America.

For over 100 years the Lumbees have tried to obtain federal recognition, but to no avail. It is my opinion that the administrative recognition process that was proposed by the previous administration simply is too cumbersome, time-consuming, costly and has not worked effectively. Therefore, I would urge you to support the Congressional recognition process as proposed by Congressman Rose.

I want to work with you and the President in any way possible to help the Lumbee Tribe receive Congressional recognition. I am confident that this recognition is not only in our state's and the tribe's best interest, but in the interest of the United States as well.

Sincerely,

JAMES B. HUNT, Jr.,
Governor.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
Raleigh, January 28, 1993.

Re Federal Recognition of the Lumbee Indians.

Hon. BRUCE BABBITT,
Secretary, U.S. Department of Interior, Washington, DC.

DEAR BRUCE: This letter is to ask for your assistance in obtaining federal recognition for the Lumbee Indian tribe, which has many members in North Carolina. Congressman Charlie Rose (D-N.C.) has introduced a bill (H.R. 334) that would provide such recognition.

Before the House Subcommittee on Indian Affairs considers H.R. 334, I understand that

the Clinton Administration will release its position on the bill. I ask that you and the President support the bill.

The Lumbee have 40,000 enrolled members in the United States and should be recognized. In fact, seven studies in this century have shown them to be an independent Indian community.

I appreciate your consideration of this letter. Please contact Congressman Rose or me if we can assist you in any way with this matter.

My warmest personal regards.

Sincerely,

JAMES B. HUNT, Jr.,
Governor.

STATE OF NORTH CAROLINA,
OFFICE OF THE GOVERNOR,
Raleigh, July 30, 1991.

Hon. DANIEL K. INOUE,
Chairman, Senate Select Committee on Indian Affairs, Hart Senate Office Building, Washington, DC.

DEAR SENATOR INOUE: I have asked James S. Lofton, Secretary of the North Carolina Department of Administration to represent me at the Joint Hearing regarding S. 1036, the Lumbee Recognition Bill, which will be held on August 1. Secretary Lofton will be accompanied by Henry McKoy, Deputy Secretary of the Department of Administration, Patrick O. Clark, Chairman of the North Carolina Commission of Indian Affairs; and A. Bruce Jones, the commission's executive director.

I fully support the passage of S. 1036 and am requesting the support of the Senate Select Committee on Indian Affairs. The State of North Carolina has recognized the Lumbee Tribe as a separate and viable Indian entity since 1885. The passage of S. 1036 will entitle the Lumbee to enjoy the same rights, privileges and services enjoyed by other federally recognized tribes in the nation and will, further, be a major step toward rectifying the inequities suffered by the Lumbee people for centuries.

I thank you for your attention to this matter and will appreciate your favorable consideration of my request.

Sincerely,

JAMES G. MARTIN,
Governor.

Madam Speaker, I was born and reared in Robeson County, North Carolina, the primary home of the Lumbee people. I go home there virtually every weekend and have the high honor of representing about 40,000 of the 55,000 Lumbees who live in my home county. In fact, there are more Lumbees in Robeson County than any other racial or ethnic group. The Lumbee Indians are my friends, many of whom I've known all my life. They're important to the success of everyday life, not only in Robeson County, but throughout southeastern North Carolina, our entire State, as evidenced by these letters from our Governors, and their contributions, indeed, to our Nation.

From medicine and law, to business and banking, from the farms and factories, to the schools and the churches—we had a Lumbee Indian come and open the National Day of Prayer right here as our guest chaplain the first Thursday in May—from government, military, our veterans, community service, to entertainment and athletic accomplishments, the Lumbees have made tremendous contributions to our country, our State and, indeed, our Nation.

In fact, in my home county, the former sheriff, the current clerk of court, the register of deeds, the school superintendent, several county commissioners, including the chairman, school board members, and the person who represents me and my family in the State legislature are all Lumbee Indians. Also, judges on both the District Court and Superior Court bench are Lumbee Indians.

In other words, the Lumbee Indians have achieved great accomplishments. Their contributions have been recognized from the city councils and county commissioners, to the chamber of commerce, to our regional medical center, and the list goes on. They all have endorsed recognition of this tribe.

But let me say this in a broader sense. I personally visited with over 300 of my colleagues, many of you listening back in your offices right now, and your legislative directors and chiefs of staff, and we've talked about this. In one aspect or another, the United States Congress has been dealing with this issue since 1888. During that time, Congress has directed the Department of the Interior to examine the tribe's history.

Eleven times, 11 times this tribe has been examined by the Department of the Interior. This is not about going around the process. It's not about skipping over the BIA. It's not about setting a precedent that some other tribe is going to say, oh, we will just skip the process. This tribe has gone through it. They have been examined. Over and over and over and over and over and over and over, and we can go on and say that 11 times.

So why are we still debating this? Well, in 1956, in fact the year I was born—it's been that long now—53 years later, 1956, this Congress recognized the Lumbees in Maine in name only but did not complete the recognition process. You know, there were two other tribes in America that had this dilemma: the Tiwas of Texas and also our friends from Arizona, the Yaqui Pascua. These two tribes, Congress went back and completed the recognition, 1987 and also back in 1978.

So, now, there's one tribe in America left in this situation, one tribe. This is not setting a precedent for other tribes. In fact, the solicitor from the Department of the Interior said the only way to resolve this issue is to go back to Congress. Yeah, you've been through the BIA 11 times. BIA can't do it. Go back to Congress because what Congress started Congress should finish, and that's why we're back here today.

We had it in the 103rd and 104th and just, yes, in our last session of Congress, the 110th, we passed this legislation. In fact, we had a two-thirds majority, Republicans and Democrats, liberals, conservatives and moderates, because this isn't about philosophy or partisan politics. This is about doing the right thing.

And to think I go home on weekends, and every weekend, the folks from the

Lumbee Tribe wonder why doesn't our government still recognize we exist? We have tribal members here today. Do we not recognize as a Nation that 55,000 people, who have died for this country as veterans and served our country in the military and law enforcement and the hospitals and banks and farms and factories, and all the other places I mentioned earlier, are people that deserve the dignity of recognition?

This is not about gaming. Please hear me friends and colleagues listening in the offices. They have agreed to prohibit gaming in the enacting legislation. So that this is not about going around the process, and it's not about gaming, and it's not about a reservation of land. Why? Because they are fully integrated in society, as I have already mentioned. They are our judges. They're our law enforcement. They're our doctors and our bankers back home in North Carolina.

What is it about then? It's about getting the politics out of the way that have delayed this bill the last 53 years, and let's get on with it and complete the recognition that the solicitor has said only we can complete.

It is a unique situation. They are the only tribe in America in this situation. It is not an antecedent for any other argument about any other tribe.

Today, our North Carolina Senators on a bipartisan basis support this bill. Today, 185 of my colleagues have cosponsored, on a bipartisan basis, this bill. Today, the White House recognizes that this is an injustice that, yes, must finally be resolved.

The political leadership has stopped it since 1956. Political leadership ought to help correct it, and thank God that they're willing to do that now.

And today, we can take that step toward rectifying this wrong of 53 years ago. When we passed it those other times that I mentioned, three other times, it got to the Senate only to face inaction. Last year, they ran out of time before the general election. We don't want that to happen. That's why we're getting this done today so that they will have the rest of this year and all of next year hopefully to finally give this tribe its long overdue recognition. What Congress started Congress should finish.

Madam Speaker, in conclusion, let me urge this House not to delay anymore. Justice delayed is justice denied. The evidence is clear, cogent, convincing. The examinations have occurred. We have heard the advisory opinion from the solicitor. We know that only Congress can resolve this. It is time to say "yes." "Yes" to dignity and respect. "Yes" to fundamental fairness. "Yes" to decency. "Yes" to honor. "Yes" to Federal recognition.

Let's do what is right. People in America are tired of bickering in Washington. They are tired of people pointing fingers and dreaming up excuses not to get things done. You know, let's send a message today that we're willing to do the right thing to

correct inequities that have occurred in our history. We have conservatives and liberal and moderates and Republicans and Democrats on this bill. So it is not a philosophical or political argument anymore. It's only about doing the right thing.

I challenge all of my colleagues in our United States Congress to do the right thing. It's time for discrimination to end and recognition to begin.

Mr. HASTINGS of Washington. Madam Speaker, I'm pleased to yield 3 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Madam Speaker, I thank my colleague and ranking member for yielding.

I thank my colleague from North Carolina as well for his honest efforts on behalf of his constituents. I respectfully disagree with the conclusions the gentleman's made, but I certainly respect him and his abilities in representing his constituents and the hard work he's offered on this legislation.

But I rise today in opposition of H.R. 31, the Lumbee Recognition Act. I believe all groups seeking Federal recognition as an Indian tribe should go through the administrative process at the Department of the Interior. It's clear that this process does need reforming, but Congress should do the hard work of reforming that process.

In this case, the Department of Indian Affairs has stated that the 1956 Lumbee Act prevents the Lumbee from going through the proper course of action to attain this status. I believe Congress should act to lift that restriction, and that is why I joined with my other North Carolina Democratic colleague, Congressman Heath Shuler, in submitting an amendment to the Rules Committee to remove the barriers set forth in the 1956 Lumbee Act and provide the Lumbee with the same opportunity to attain Federal recognition as other tribes have. I think that's the proper path. Unfortunately, the Rules Committee disallowed us that opportunity to vote on that legislation here on the House floor, and I think that's unfortunate.

To the extent that the process needs to be reformed, we should let Congress or the agency focus on those specific areas, instead of passing individual recognition bills.

I cannot support the underlying legislation, which would allow the Lumbee to circumvent this proper recognition process and their hard work in diligently working toward recognition through the Office of Federal Acknowledgment. This would be unfair to those tribes who have gone through the proper requirements to attain their official status.

Also, it's unfair to existing federally recognized tribes who do not want to see their cultural identity undermined by legislation such as this.

I urge my colleagues to vote against this bill and allow the Office of Federal Acknowledgment to carry out its appropriate responsibilities. That's why

we instituted, as a Congress, the Office of Federal Acknowledgment, and we should make sure it does its proper work.

Mr. RAHALL. Madam Speaker, I yield 5 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in strong support of H.R. 31, the proposed bill to provide for the recognition of the Lumbee Tribe of North Carolina.

First, I want to commend the gentleman and my dear friend, the gentleman from North Carolina (Mr. MCINTYRE) for his leadership and tremendous work that he has done to move this bill through committee that is now before us.

I also want to commend Chairman RAHALL and our ranking member, Mr. HASTINGS, and my colleagues on the Natural Resources Committee for their agreement to bringing this bill to the floor.

Madam Speaker, it has been more than 120 years since the Lumbees first attempted Federal recognition since 1888. More than a century has passed since they first started this labyrinth known as Federal recognition process. Since then, the Lumbee themselves have been subjected to such demeaning vetting process, including having the size of their teeth measured and their blood tested to see how much Indian they were.

Since 1888, the Lumbees have submitted all documentation they have to prove their existence. After more than 100 years' worth of documentation and witness testimony, the Lumbees have fully exhausted the Federal recognition process but to no avail.

Madam Speaker, it is also important to note that the policy of the United States has been terribly inconsistent with regard to the original inhabitants of this land, the first Americans. Our first policy was to do battle with them, kill them. The prevailing opinion at the time was epitomized by General Philip Sheridan in 1869 when he said: "The only good Indians I ever saw were dead."

Our next policy was that of assimilation. During this period, the United States tried to make Indians part of American mainstream. And then in the 1950s and the early 1960s, this country's policy was termination, termination meaning Indian tribes were no longer in existence.

□ 1445

Then there was the policy of reinstatement. Since 1978, the tribes now have to seek recognition from the Federal Government, and doing so by a series of administrative regulations that have caused tremendous hardship for the tribes seeking to be recognized by the Federal Government.

Throughout this entire period, the Lumbees were seeking recognition.

While Congress recognized the Lumbee Indians in the 1956 Act, the Lumbees were still deprived of critical services and benefits that were available to other Indian tribes. Since then, the Lumbees have felt like they were second-class citizens. And I agree.

Madam Speaker, it is public record that the Interior Department has found the Lumbee petition for recognition wanting. Apparently, the Lumbees didn't keep sufficient written records of their existence for the period supposedly encompassing roughly from 1760 to 1850 to convince the Department of the Interior. I guess the Department thinks that any group of people who don't have a paper trail to prove their existence aren't worthy of Federal recognition.

While I know it's true that the Bureau of Indian Affairs exists only to create a paper trail, I cannot help but think the Lumbee case is a perfect example of a bureaucratic process run amok.

Madam Speaker, there comes a time when the process for process' sake loses its value. While it might be procedurally nice for the Bureau of Indian Affairs and the Department of the Interior to provide a timely review of each group that seeks recognition, sometimes justice requires otherwise. The cost of continuing the acknowledgment process in the case of the Lumbees, for me at least, is just simply too high. And I believe that this is one of the principal roles that Congress has to play.

The time has come for this institution to take action. By our own inaction, Congress will continue to defer to a Federal recognition process that, in the case of the Lumbees, has failed miserably, a Federal recognition process that is also in greater need of reform. And I have introduced legislation to have Congress change the process.

Today, we are considering H.R. 31, a bill to grant Lumbees Federal recognition. After reviewing this bill, there's nothing in here that threatens the economic stream of other federally recognized tribes. Indeed, H.R. 31 contains prohibition of gaming activities.

Madam Speaker, further inaction would lead to more time lost for the Lumbees. For over 100 years, the Lumbees are still seeking recognition. And just prior to the introduction of this bill, we have had to recognize six tribes from Virginia after they waited for 400 years. Does this suggest that the poor Lumbees are to wait for another 300 years, Madam Speaker? I say not.

The time has come to give the Lumbees Federal recognition. I urge my colleagues and Members of this House, do pass H.R. 31 and give the Lumbee Indians at last the recognition they so dearly deserve.

Mr. HASTINGS of Washington. I yield back the balance of my time.

Mr. RAHALL. I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate having expired, pursuant to

House Resolution 490, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HASTINGS of Washington. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HASTINGS of Washington. I am, in its current form, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hastings of Washington moves to recommit the bill H.R. 31 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Page 5, lines 17 and 18, strike "The Secretary" and all that follows through the period on line 22, and insert the following: "For purposes of the delivery of Federal services, the Secretary of the Interior shall verify that the persons on the Lumbee base rolls are descendants of Cheraw or other coastal North Carolina Indian tribes."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) is recognized for 5 minutes in support of his motion.

Mr. HASTINGS of Washington. Thank you very much, Madam Speaker.

Madam Speaker, the motion to recommit amends the bill to require the Secretary of the Interior to verify that members of the Lumbee Tribe are descendants of the Cheraw and coastal North Carolina tribes. I don't believe this is unreasonable, and I say that because the preamble contained in H.R. 31 states that, "the Lumbee Indians of Robeson and adjoining counties in North Carolina are descendants of coastal North Carolina Indian tribes, principally Cheraw."

At the same time, section 3 of the legislation limits the Secretary's role in verifying the Lumbee tribal rolls only to "confirming compliance with the membership criteria set out in the tribe's constitution."

Thus, Madam Speaker, nothing in H.R. 31 requires the Secretary or any third party to verify that individuals enrolled in the Lumbee Tribe are descendants of the historic Cheraw and coastal North Carolina Indians.

Under the Bureau of Indian Affairs regulations, as has been mentioned several times today, one of the seven mandatory requirements that must be met to be recognized by the Secretary as a tribe is that: "The petitioner's membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity." These regulations list a wide variety of evidence that can be used to meet this requirement.

The Rules Committee, as I have mentioned and as Mr. McHENRY mentioned, would not make Mr. SHULER of North Carolina's amendment in order that would have required the Lumbees to meet all seven of the BIA criteria, including the one quoted above, to obtain Federal recognition.

This motion requires the Secretary to verify that members of the Lumbee Tribe meet the equivalent of just one of the seven criteria that are applied to the other petitioners seeking recognition through the BIA process.

I believe, Madam Speaker, this is reasonable because there have been some concerns about the tribe's enrollment.

Today, the tribe claims 54,000 members, and the CBO says the cost would be \$786 million over 5 years. This is an increase from just 2 years ago when they were told that there were 40,000 tribal members. Moreover, it appears the tribe is keeping its rolls closed until Congress passes this bill.

It is fair to have the Secretary verify the base rolls the tribe uses to establish membership. This verification requirement does not cancel the tribe's recognition; it merely provides a means of verifying the base rolls, something the BIA should do if the Lumbees had gone through the regulatory process.

Thus, a motion to recommit merely ensures the House has taken extra care to ensure the decision to extend recognition to the Lumbee is appropriate, because a wrong decision, a wrong decision, Madam Speaker, could have an adverse impact on all tribes.

With that, I yield back the balance of my time.

Mr. RAHALL. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from West Virginia is recognized for 5 minutes.

Mr. RAHALL. Wow. Madam Speaker, it certainly has been a torturous and long path for the Lumbee Indian Tribe. This is but yet another stake that is attempted to be driven in their heart.

It is long established policy in this country for Indian tribes to determine their own membership, their own roll. This motion to recommit would single out the Lumbee Tribe as the only tribe in America that would be subject to this new requirement. It's discriminatory. It's ugly. It deserves to be defeated.

I want to make something very clear before yielding to the gentleman from North Carolina. This is not something new that we're doing today, granting Federal recognition to an Indian tribe. There are 561 federally recognized Indian tribes according to the GAO. Of those, 530 were recognized by the Congress of the United States. That would be this body. That's 530 of 561. And none were recognized under the criteria that's being offered in this motion to recommit.

I yield the balance of my time in opposition to the gentleman from North Carolina (Mr. McINTYRE).

Mr. MCINTYRE. Thank you, Mr. Chairman. Let's just put this straightforward. This is yet another subterfuge. It's another attempt to push the Lumbees back yet again through political action. It's another attempt to send them back to the bureaucracy. And the last thing our American citizens deserve and that our Lumbee American citizens deserve is to be put back through a simple saying of, Go back to the bureaucracy. Let's once again let Congress skip its duty.

Our United States Constitution itself says that the Congress—right there where it says, “to regulate commerce with foreign nations and among the several States and with the Indian tribes.” It is a congressional duty and responsibility.

Now, they've gone through this process, we already explained, 11 times. This is a 12th time being offered. That's what this is. And our Members should recognize this and also recognize that no other tribe that has received Federal recognition through an act of the United States Congress has had to go back through a verification process that is now proposed in this motion to recommit.

Let's treat the Lumbees fairly. This would put them in a situation that would single them out to further treat them unfairly when they now have already been singled out, and we have been told by the Solicitor that we must resolve this problem.

Mr. RAHALL. Madam Speaker, if I have time left, I yield to the gentleman from American Samoa.

The SPEAKER pro tempore. The gentleman from West Virginia controls 1½ minutes.

Mr. RAHALL. I yield 1½ minutes to the gentleman from American Samoa.

Mr. FALEOMAVAEGA. I just want to note for the record, as much as I respect my dear friend, the gentleman from Washington, I remember distinctly we had a hearing on this very issue, and the gentleman who wrote the regulations, the seven criteria that were outlined in terms of what these poor tribes had to go through, admitted before this committee, our committee, even he would not have been able to seek recognition if this is the way the bureaucratic maze had to be conducted on how to recognize an Indian tribe.

So I say this to my good friend from the State of Washington, we are setting precedent here to the effect that we have already recognized all other tribes, the six that we just recognized 30 minutes ago. There was no requirement they had to go back to one of the separate criteria in order to be recognized.

This is the prerogative of the Congress. The Congress can pass this legislation to give recognition to this tribe. And I say this with all due respect to my good friend from Washington.

Mr. RAHALL. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The SPEAKER pro tempore. The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and motions to suspend the rules on House Concurrent Resolution 109, and House Resolution 471.

The vote was taken by electronic device, and there were—yeas 197, nays 224, not voting 12, as follows:

[Roll No. 296]

YEAS—197

| | | |
|---------------|---------------|---------------|
| Adler (NJ) | Franks (AZ) | Myrick |
| Akin | Frelinghuysen | Neugebauer |
| Alexander | Gallely | Nunes |
| Altmire | Garrett (NJ) | Nye |
| Arcuri | Gerlach | Olson |
| Austria | Gingrey (GA) | Paul |
| Bachmann | Gohmert | Paulsen |
| Bachus | Goodlatte | Pence |
| Baird | Granger | Perriello |
| Barrett (SC) | Graves | Petri |
| Bartlett | Guthrie | Pitts |
| Barton (TX) | Hall (NY) | Platts |
| Bilbray | Hall (TX) | Poe (TX) |
| Bilirakis | Harper | Posey |
| Blackburn | Hastings (WA) | Price (GA) |
| Blunt | Heller | Putnam |
| Boehner | Hensarling | Quigley |
| Bono Mack | Herger | Radanovich |
| Boozman | Hill | Rangel |
| Boren | Himes | Rehberg |
| Boustany | Hoekstra | Reichert |
| Boyd | Hunter | Roe (TN) |
| Brady (TX) | Inglis | Rogers (KY) |
| Bright | Jenkins | Rogers (MI) |
| Brown-Waite, | Johnson (IL) | Rohrabacher |
| Ginny | Jones | Rooney |
| Buchanan | Jordan (OH) | Roskam |
| Burgess | King (IA) | Royce |
| Burton (IN) | King (NY) | Ryan (WI) |
| Buyer | Kingston | Scalise |
| Calvert | Kirk | Schmidt |
| Camp | Kissell | Schock |
| Campbell | Kline (MN) | Sensenbrenner |
| Cantor | Lamborn | Sessions |
| Cao | Lance | Shadegg |
| Capito | Latham | Shea-Porter |
| Carney | LaTourette | Shimkus |
| Carter | Latta | Shuler |
| Cassidy | Lee (NY) | Shuster |
| Castle | Lewis (CA) | Simpson |
| Chaffetz | Linder | Sires |
| Chandler | LoBiondo | Smith (NE) |
| Childers | Lucas | Smith (NJ) |
| Coble | Luetkemeyer | Souder |
| Coffman (CO) | Lummis | Space |
| Conaway | Mack | Stearns |
| Courtney | Maffei | Stupak |
| Crenshaw | Manzullo | Tanner |
| Culberson | Marchant | Taylor |
| Davis (AL) | Marshall | Teague |
| Davis (KY) | McCarthy (CA) | Terry |
| Davis (TN) | McCaul | Thompson (PA) |
| Deal (GA) | McClintock | Thornberry |
| DeLauro | McCotter | Tiahrt |
| Dent | McHenry | Tiberi |
| Donnelly (IN) | McHugh | Turner |
| Dreier | McKeon | Upton |
| Duncan | McMorris | Walden |
| Ehlers | Rodgers | Wamp |
| Ellsworth | Mica | Westmoreland |
| Emerson | Miller (FL) | Whitfield |
| Fallin | Miller, Gary | Wilson (SC) |
| Flake | Minnick | Wittman |
| Fleming | Moran (KS) | Wolf |
| Forbes | Murphy (CT) | Young (FL) |
| Fortenberry | Murphy (NY) | |
| Fox | Murphy, Tim | |

NAYS—224

| | | |
|-----------------|------------------|-----------------|
| Abercrombie | Gutierrez | Murphy, Patrick |
| Ackerman | Halvorson | Murtha |
| Aderholt | Hare | Nadler (NY) |
| Andrews | Harman | Napolitano |
| Baca | Hastings (FL) | Neal (MA) |
| Baldwin | Heinrich | Oberstar |
| Barrow | Herseth Sandlin | Obey |
| Bean | Higgins | Olver |
| Berkley | Hinchey | Ortiz |
| Berman | Hinojosa | Pallone |
| Berry | Hirono | Pascarell |
| Biggart | Hodes | Pastor (AZ) |
| Bishop (GA) | Holden | Payne |
| Bishop (NY) | Holt | Perlmutter |
| Blumenauer | Honda | Peters |
| Bocchieri | Hoyer | Peterson |
| Bonner | Inslee | Pingree (ME) |
| Boswell | Israel | Polis (CO) |
| Boucher | Issa | Pomeroy |
| Brady (PA) | Jackson (IL) | Price (NC) |
| Braley (IA) | Jackson-Lee | Rahall |
| Brown (SC) | (TX) | Reyes |
| Brown, Corrine | Johnson (GA) | Richardson |
| Butterfield | Johnson, E. B. | Rodriguez |
| Capps | Kagen | Ross |
| Capuano | Kanjorski | Rothman (NJ) |
| Cardoza | Kaptur | Roybal-Allard |
| Carnahan | Kennedy | Rush |
| Carson (IN) | Kildee | Ryan (OH) |
| Castor (FL) | Kilpatrick (MI) | Salazar |
| Clarke | Kilroy | Sarbanes |
| Clay | Kind | Schakowsky |
| Cleaver | Kirkpatrick (AZ) | Schauer |
| Clyburn | Klein (FL) | Schiff |
| Cohen | Kosmas | Schrader |
| Cole | Kratovil | Schwartz |
| Connolly (VA) | Kucinich | Scott (GA) |
| Conyers | Langevin | Scott (VA) |
| Cooper | Larsen (WA) | Serrano |
| Costa | Larson (CT) | Sestak |
| Costello | Lee (CA) | Sherman |
| Crowley | Levin | Skelton |
| Cuellar | Lewis (GA) | Slaughter |
| Cummings | Lipinski | Smith (TX) |
| Dahlkemper | Loeb sack | Smith (WA) |
| Davis (CA) | Lofgren, Zoe | Snyder |
| DeFazio | Lowey | Speier |
| DeGette | Lujan | Spratt |
| Delahunt | Lungren, Daniel | Stark |
| Diaz-Balart, L. | E. | Sutton |
| Diaz-Balart, M. | Lynch | Tauscher |
| Dicks | Maloney | Thompson (CA) |
| Dingell | Markey (CO) | Thompson (MS) |
| Doggett | Markey (MA) | Tierney |
| Doyle | Massa | Titus |
| Driehaus | Matheson | Tonko |
| Edwards (MD) | Matsui | Towns |
| Edwards (TX) | McCarthy (NY) | Tsongas |
| Ellison | McCollum | Van Hollen |
| Engel | McDermott | Velazquez |
| Eshoo | McGovern | Visclosky |
| Etheridge | McIntyre | Walz |
| Farr | McMahon | Wasserman |
| Fattah | McNerney | Schultz |
| Filner | Meek (FL) | Waters |
| Foster | Meeks (NY) | Watson |
| Frank (MA) | Melancon | Watt |
| Fudge | Michaud | Waxman |
| Giffords | Miller (MI) | Weiner |
| Gonzalez | Miller (NC) | Welch |
| Gordon (TN) | Miller, George | Wexler |
| Grayson | Mitchell | Woolsey |
| Green, Al | Mollohan | Wu |
| Green, Gene | Moore (KS) | Yarmuth |
| Griffith | Moore (WI) | Young (AK) |
| Grijalva | Moran (VA) | |

NOT VOTING—12

| | | |
|--------------|----------------|------------------|
| Becerra | Rogers (AL) | Sanchez, Loretta |
| Bishop (UT) | Ros-Lehtinen | Sullivan |
| Brown (GA) | Ruppersberger | Wilson (OH) |
| Davis (IL) | Sánchez, Linda | |
| Johnson, Sam | T. | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1532

Messrs. BLUMENAUER, HOYER, ISSA, COLE, HODES, PASTOR of Arizona, PERLMUTTER, BERRY, ELLISON, STARK, WU, GUTIERREZ, LARSON of Connecticut, SALAZAR, MARKEY of Massachusetts, Mrs.

MCCARTHY of New York, Ms. JACKSON-LEE of Texas, Ms. BERKLEY, Mrs. MILLER of Michigan, Ms. FUDGE, Messrs. MELANCON, GRIF-FITH, SHERMAN, KIND, TOWNS, Ms. KOSMAS, Messrs. BOUCHER, CLEAV-ER, Mrs. BIGBERT, Messrs. COSTA, ISRAEL, JOHNSON of Georgia, Ms. TITUS, Mrs. DAHLKEMPER, Messrs. SMITH of Texas and GORDON of Ten-nessee changed their vote from “yea” to “nay.”

Mr. HERGER, Mrs. BACHMANN, Messrs. BOYD, FRANKS of Arizona, FORBES, ADLER of New Jersey, Ms. DELAURO, Ms. SHEA-PORTER and Mr. MARSHALL changed their vote from “nay” to “yea.”

So the motion to recommit was re-jected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic de-vice, and there were—yeas 240, nays 179, not voting 14, as follows:

[Roll No. 297]

YEAS—240

| | | |
|----------------|-----------------|------------------|
| Ackerman | Davis (KY) | Jackson-Lee |
| Aderholt | DeFazio | (TX) |
| Andrews | DeGette | Johnson (GA) |
| Baird | Diaz-Balart, L. | Johnson, E. B. |
| Baldwin | Diaz-Balart, M. | Kagen |
| Barrow | Dicks | Kanjorski |
| Bean | Dingell | Kaptur |
| Berkley | Doggett | Kennedy |
| Berman | Donnelly (IN) | Kildee |
| Berry | Doyle | Kilpatrick (MI) |
| Biggert | Driehaus | Kilroy |
| Bishop (GA) | Edwards (MD) | Kind |
| Bishop (NY) | Edwards (TX) | King (NY) |
| Blumenauer | Ellison | Kirkpatrick (AZ) |
| Bocieri | Engel | Kissell |
| Bonner | Eshoo | Klein (FL) |
| Boswell | Etheridge | Kosmas |
| Boucher | Farr | Kratovil |
| Boyd | Fattah | Kucinich |
| Brady (PA) | Filner | Langevin |
| Brady (TX) | Foster | Larsen (WA) |
| Braley (IA) | Frank (MA) | Larson (CT) |
| Brown (SC) | Fudge | LaTourette |
| Brown, Corrine | Giffords | Lee (CA) |
| Butterfield | Gohmert | Levin |
| Capito | Gonzalez | Lewis (GA) |
| Capps | Gordon (TN) | Linder |
| Capuano | Grayson | Lipinski |
| Cardoza | Green, Al | Loebsack |
| Carnahan | Green, Gene | Lofgren, Zoe |
| Carson (IN) | Grijalva | Lowe |
| Castor (FL) | Gutierrez | Lujan |
| Chandler | Hare | Lynch |
| Clarke | Harman | Maloney |
| Clay | Hastings (FL) | Markey (CO) |
| Cleaver | Heinrich | Markey (MA) |
| Clyburn | Heller | Marshall |
| Coble | Higgins | Massa |
| Cohen | Hinche | Matheson |
| Connolly (VA) | Hinojosa | Matsui |
| Conyers | Hirono | McCarthy (CA) |
| Cooper | Hodes | McCarthy (NY) |
| Costa | Holden | McCollum |
| Costello | Holt | McDermott |
| Crowley | Honda | McGovern |
| Cuellar | Hoyer | McHugh |
| Cummings | Inslee | McIntyre |
| Dahlkemper | Israel | McKeon |
| Davis (AL) | Jackson (IL) | McMahon |
| Davis (CA) | | McNerney |

| | | |
|----------------|---------------|---------------|
| Meek (FL) | Price (NC) | Speier |
| Meeks (NY) | Rahall | Spratt |
| Melancon | Reyes | Stark |
| Michaud | Richardson | Sutton |
| Miller (NC) | Rodriguez | Tauscher |
| Miller, George | Ross | Terry |
| Mitchell | Rothman (NJ) | Thompson (CA) |
| Mollohan | Roybal-Allard | Thompson (MS) |
| Moore (KS) | Rush | Thornberry |
| Moore (WI) | Ryan (OH) | Tierney |
| Moran (VA) | Salazar | Titus |
| Murphy (NY) | Sarbanes | Tonko |
| Murtha | Schakowsky | Towns |
| Nadler (NY) | Schiff | Tsongas |
| Napolitano | Schrader | Van Hollen |
| Neal (MA) | Schwartz | Velázquez |
| Nunes | Scott (GA) | Visclosky |
| Oberstar | Scott (VA) | Walden |
| Obey | Serrano | Walz |
| Oliver | Sestak | Waters |
| Ortiz | Shea-Porter | Watson |
| Pallone | Sherman | Watt |
| Pascarella | Shimkus | Waxman |
| Pastor (AZ) | Simpson | Weiner |
| Payne | Skelton | Welch |
| Perlmutter | Slaughter | Wexler |
| Peters | Smith (TX) | Woolsey |
| Peterson | Smith (WA) | Wu |
| Pingree (ME) | Snyder | Yarmuth |
| Platts | Souder | Young (AK) |
| Polis (CO) | Space | |

NAYS—179

| | | |
|--------------|-----------------|-----------------|
| Adler (NJ) | Franks (AZ) | Murphy (CT) |
| Akin | Frelinghuysen | Murphy, Patrick |
| Alexander | Gallagher | Murphy, Tim |
| Altmire | Garrett (NJ) | Myrick |
| Arcuri | Gerlach | Neugebauer |
| Austria | Gingrey (GA) | Nye |
| Baca | Goodlatte | Olson |
| Bachmann | Granger | Paul |
| Bachus | Graves | Paulsen |
| Barrett (SC) | Griffith | Pence |
| Bartlett | Guthrie | Perriello |
| Barton (TX) | Hall (NY) | Petri |
| Bilbray | Hall (TX) | Pitts |
| Bilirakis | Halvorson | Poe (TX) |
| Blackburn | Harper | Pomeroy |
| Blunt | Hastings (WA) | Posey |
| Boehner | Hensarling | Price (GA) |
| Bono Mack | Herger | Putnam |
| Boozman | Hereth Sandlin | Quigley |
| Boren | Hill | Radanovich |
| Boustany | Himes | Rehberg |
| Bright | Hoekstra | Reichert |
| Brown-Waite, | Hunter | Roe (TN) |
| Ginny | Inglis | Rogers (KY) |
| Buchanan | Issa | Rogers (MI) |
| Burgess | Jenkins | Rohrabacher |
| Burton (IN) | Johnson (IL) | Rooney |
| Buyer | Jones | Roskam |
| Calvert | Jordan (OH) | Royce |
| Camp | King (IA) | Ryan (WI) |
| Campbell | Kingston | Scalise |
| Cantor | Kirk | Schauer |
| Cao | Kline (MN) | Schmidt |
| Carney | Lamborn | Schock |
| Carter | Lance | Sensenbrenner |
| Cassidy | Latham | Sessions |
| Castle | Latta | Shadegg |
| Chaffetz | Lee (NY) | Shuler |
| Childers | Lewis (CA) | Shuster |
| Coffman (CO) | LoBiondo | Sires |
| Cole | Lucas | Smith (NE) |
| Conaway | Luetkemeyer | Smith (NJ) |
| Courtney | Lummis | Stearns |
| Crenshaw | Lungren, Daniel | Stupak |
| Culberson | E. | Tanner |
| Davis (TN) | Mack | Teague |
| Deal (GA) | Maffei | Taylor |
| Delahunt | Manzullo | Thompson (PA) |
| DeLauro | Marchant | Tiahrt |
| Dent | McCaul | Tiberi |
| Dreier | McClintock | Turner |
| Duncan | McCotter | Upton |
| Ehlers | McHenry | Wamp |
| Ellsworth | McMorris | Wasserman |
| Emerson | Rodgers | Schultz |
| Fallin | Mica | Westmoreland |
| Flake | Miller (FL) | Whitfield |
| Fleming | Miller (MI) | Wilson (SC) |
| Forbes | Miller, Gary | Wittman |
| Fortenberry | Minnick | Wolf |
| Fox | Moran (KS) | Young (FL) |

NOT VOTING—14

| | |
|--------------|-------------|
| Broun (GA) | Rangel |
| Davis (IL) | Rogers (AL) |
| Johnson, Sam | |

| | | |
|---------------|------------------|-------------|
| Ros-Lehtinen | Sánchez, Linda | Sullivan |
| Ruppersberger | T. | Wilson (OH) |
| | Sanchez, Loretta | |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1541

Mr. POMEROY changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MCCARTHY of California. Mr. Speaker, during final consideration of H.R. 31, I inadvertently voted “yea” on rollcall 297. I intended to vote “nay.”

HONORING ANNUAL SUSAN G. KOMEN RACE FOR THE CURE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 109, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. CAPPS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 109.

This is a 5-minute vote.

The vote was taken by electronic de-vice, and there were—yeas 417, nays 0, not voting 16, as follows:

[Roll No. 298]

YEAS—417

| | | |
|--------------|----------------|-----------------|
| Abercrombie | Brady (PA) | Connolly (VA) |
| Ackerman | Brady (TX) | Conyers |
| Aderholt | Braley (IA) | Cooper |
| Adler (NJ) | Bright | Costa |
| Akin | Brown (SC) | Costello |
| Alexander | Brown, Corrine | Courtney |
| Altmire | Brown-Waite, | Crenshaw |
| Andrews | Ginny | Crowley |
| Arcuri | Buchanan | Cuellar |
| Austria | Burgess | Culberson |
| Baca | Burton (IN) | Cummings |
| Bachmann | Butterfield | Dahlkemper |
| Bachus | Buyer | Davis (AL) |
| Baird | Calvert | Davis (CA) |
| Baldwin | Camp | Davis (KY) |
| Barrett (SC) | Campbell | Davis (TN) |
| Barrow | Cantor | Deal (GA) |
| Bartlett | Cao | DeFazio |
| Barton (TX) | Capito | DeGette |
| Bean | Capps | Delahunt |
| Berkley | Capuano | DeLauro |
| Berman | Cardoza | Dent |
| Berry | Carnahan | Diaz-Balart, L. |
| Biggert | Carney | Diaz-Balart, M. |
| Bilbray | Carson (IN) | Dicks |
| Bilirakis | Carter | Dingell |
| Bishop (GA) | Cassidy | Doggett |
| Bishop (NY) | Castle | Donnelly (IN) |
| Blackburn | Castor (FL) | Doyle |
| Blumenauer | Chaffetz | Dreier |
| Blunt | Chandler | Driehaus |
| Bocieri | Childers | Duncan |
| Boehner | Clarke | Edwards (MD) |
| Bonner | Clay | Edwards (TX) |
| Bono Mack | Cleaver | Ehlers |
| Boozman | Clyburn | Ellison |
| Boren | Coble | Ellsworth |
| Boswell | Coffman (CO) | Emerson |
| Boucher | Cohen | Engel |
| Boustany | Cole | Eshoo |
| Boyd | Conaway | Etheridge |

Fallin Lee (CA)
 Farr Lee (NY)
 Fattah Levin
 Filner Lewis (CA)
 Flake Lewis (GA)
 Fleming Linder
 Forbes Lipinski
 Fortenberry LoBiondo
 Foster Loeb sack
 Foss Lofgren, Zoe
 Frank (MA) Lowey
 Franks (AZ) Lucas
 Frelinghuysen Luetkemeyer
 Fudge Luján
 Gallegly Lummis
 Garrett (NJ) Lungren, Daniel
 Gerlach E.
 Giffords Lynch
 Gingrey (GA) Mack
 Gohmert Maffei
 Gonzalez Maloney
 Goodlatte Manzullo
 Gordon (TN) Marchant
 Granger Markey (CO)
 Graves Markey (MA)
 Grayson Marshall
 Green, Al Massa
 Green, Gene Matheson
 Griffith Matsui
 Grijalva McCarthy (CA)
 Guthrie McCarthy (NY)
 Gutierrez McCaul
 Hall (NY) McClintock
 Hall (TX) McCollum
 Halvorson McCotter
 Hare McDermott
 Harman McGovern
 Harper McHenry
 Hastings (FL) McHugh
 Hastings (WA) McIntyre
 Heinrich McKeon
 Heller McMahon
 Hensarling McMorris
 Herger Rodgers
 Herseth Sandlin McNerney
 Higgins Meek (FL)
 Hill Meeks (NY)
 Himes Melancon
 Hinchey Mica
 Hinojosa Michaud
 Hirono Miller (FL)
 Hodes Miller (MI)
 Hoekstra Miller (NC)
 Holden Miller, Gary
 Holt Miller, George
 Honda Minnick
 Hoyer Mitchell
 Hunter Mollohan
 Inglis Moore (KS)
 Inslee Moore (WI)
 Israel Moran (KS)
 Issa Moran (VA)
 Jackson (IL) Murphy (CT)
 Jackson-Lee (TX) Murphy (NY)
 Murphy, Patrick
 Murphy, Tim
 Johnson (GA) Murtha
 Johnson (IL) Nadler (NY)
 Johnson, E. B. Napolitano
 Jones Neal (MA)
 Jordan (OH) Neugebauer
 Kagen Nunes
 Kanjorski Nye
 Kaptur Oberstar
 Kennedy Obey
 Kildee Olson
 Kilpatrick (MI) Oliver
 Kilroy Ortiz
 Kind Pallone
 King (IA) Pascrell
 King (NY) Pastor (AZ)
 Kingston Paul
 Kirk Paulsen
 Kirkpatrick (AZ) Payne
 Kissell Pence
 Klein (FL) Perlmutter
 Kline (MN) Perriello
 Kosmas Peterson
 Kratovil Petri
 Kucinich Pingree (ME)
 Lamborn Platts
 Lance Poe (TX)
 Langevin Polis (CO)
 Larsen (WA) Pomeroy
 Larson (CT) Posey
 Latham Price (GA)
 LaTourette Price (NC)
 Latta Putnam

Quigley
 Radanovich
 Rahall
 Rangel
 Rehberg
 Reichert
 Reyes
 Richardson
 Rodriguez
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Roskam
 Ross
 Rothman (NJ)
 Roybal-Allard
 Royce
 Rush
 Ryan (OH)
 Ryan (WI)
 Salazar
 Sarbanes
 Scalise
 Schakowsky
 Schauer
 Schiff
 Schock
 Schrader
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sessions
 Sestak
 Shadegg
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Souder
 Space
 Speier
 Spratt
 Stark
 Stearns
 Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Teague
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Titus
 Tonko
 Towns
 Tsongas
 Turner
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden
 Walz
 Wamp
 Wasserman
 Schultz
 Waters
 Berry
 Biggert
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blackburn
 Blumenauer
 Blunt
 Wilson (SC)
 Wittman

Wolf
 Woolsey
 Becerra
 Bishop (UT)
 Broun (GA)
 Davis (IL)
 Johnson, Sam
 Myrick

Wu
 Yarmuth
 Pence
 Pitts
 Ros-Lehtinen
 Ruppersberger
 Sánchez, Linda
 T.

Young (AK)
 Young (FL)
 Sanchez, Loretta
 Schmidt
 Sullivan
 Watt
 Wilson (OH)

Davis (CA)
 Davis (KY)
 Davis (TN)
 Deal (GA)
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Dreier
 Driehaus
 Duncan
 Edwards (MD)
 Edwards (TX)
 Ehlers
 Ellison
 Ellsworth
 Emerson
 Engel
 Eshoo
 Etheridge
 Fallin
 Farr
 Fattah
 Filner
 Flake
 Fleming
 Forbes
 Fortenberry
 Foster
 Foss
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Garrett (NJ)
 Gerlach
 Giffords
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Granger
 Graves
 Grayson
 Green, Al
 Green, Gene
 Griffith
 Grijalva
 Guthrie
 Gutierrez
 Hall (NY)
 Hall (TX)
 Halvorson
 Hare
 Harman
 Harper
 Hastings (FL)
 Hastings (WA)
 Heinrich
 Heller
 Hensarling
 Herger
 Herseth Sandlin
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hodes
 Hoekstra
 Holden
 Holt
 Honda
 Hoyer
 Hunter
 Inglis
 Inslee
 Israel
 Issa
 Jackson (IL)
 Jackson-Lee (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Jones
 Jordan (OH)
 Kagen
 Kanjorski
 Kaptur
 Kennedy
 Kildee
 Kilpatrick (MI)
 Kilroy
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kosmas
 Kratovil
 Kucinich
 Kucinich
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta

Kanjorski
 Kaptur
 Kennedy
 Kildee
 Kilpatrick (MI)
 Kilroy
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kosmas
 Kratovil
 Kucinich
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Lee (NY)
 Levin
 Lewis (CA)
 Lewis (GA)
 Linder
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Maffei
 Maloney
 Manzullo
 Marchant
 Markey (CO)
 Markey (MA)
 Marshall
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McHenry
 McHugh
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNerney
 Meek (FL)
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy (CT)
 Murphy (NY)
 Murphy, Patrick
 Murphy, Tim
 Nadler (NY)
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Nye
 Oberstar
 Obey
 Olson
 Oliver
 Ortiz
 Pallone
 Pascrell
 Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pence
 Perlmutter
 Perriello
 Peterson
 Petri
 Pingree (ME)
 Platts
 Poe (TX)
 Polis (CO)
 Pomeroy
 Posey
 Price (GA)
 Price (NC)
 Putnam

Olson
 Oliver
 Ortiz
 Pallone
 Pascrell
 Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pence
 Perlmutter
 Perriello
 Peters
 Peterson
 Petri
 Pingree (ME)
 Platts
 Poe (TX)
 Polis (CO)
 Pomeroy
 Posey
 Price (GA)
 Price (NC)
 Putnam
 Quigley
 Radanovich
 Rahall
 Rangel
 Rehberg
 Reichert
 Reyes
 Richardson
 Rodriguez
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Roskam
 Ross
 Rothman (NJ)
 Roybal-Allard
 Royce
 Rush
 Ryan (OH)
 Ryan (WI)
 Salazar
 Sarbanes
 Scalise
 Schakowsky
 Schauer
 Schiff
 Schock
 Schrader
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sessions
 Sestak
 Shadegg
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Souder
 Space
 Speier
 Spratt
 Stark
 Stearns
 Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Teague
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiahrt
 Tiberi
 Tierney

NOT VOTING—16

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Members have less than 2 minutes remaining in this vote.

□ 1550

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXPRESSING SYMPATHY FOR VICTIMS OF CAMP LIBERTY SHOOTINGS

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 471, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. KRATOVIL) that the House suspend the rules and agree to the resolution, H. Res. 471, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MCGOVERN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 299]

YEAS—416

Abercrombie
 Ackerman
 Aderholt
 Adler (NJ)
 Akin
 Alexander
 Altmire
 Andrews
 Arcuri
 Austria
 Baca
 Bachmann
 Bachus
 Baird
 Baldwin
 Barrett (SC)
 Barrow
 Bartlett
 Barton (TX)
 Bean
 Berkley
 Berry
 Biggert
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blackburn
 Blumenauer
 Blunt
 Boccieri
 Boehner

Bonner
 Bono Mack
 Boozman
 Boren
 Boswell
 Boucher
 Boustany
 Boyd
 Brady (PA)
 Brady (TX)
 Braley (IA)
 Bright
 Brown (SC)
 Brown, Corrine
 Coffman (CO)
 Cohen
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Crenshaw
 Crowley
 Cuellar
 Culberson
 Cummings
 Dahlkemper
 Davis (AL)

Carney
 Carson (IN)
 Carter
 Cassidy
 Castle
 Castor (FL)
 Chaffetz
 Chandler
 Childers
 Clarke
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cohen
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Crenshaw
 Crowley
 Cuellar
 Culberson
 Cummings
 Dahlkemper
 Davis (AL)

Davis (CA)
 Davis (KY)
 Davis (TN)
 Deal (GA)
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Dicks
 Dingell
 Doggett
 Donnelly (IN)
 Doyle
 Dreier
 Driehaus
 Duncan
 Edwards (MD)
 Edwards (TX)
 Ehlers
 Ellison
 Ellsworth
 Emerson
 Engel
 Eshoo
 Etheridge
 Fallin
 Farr
 Fattah
 Filner
 Flake
 Fleming
 Forbes
 Fortenberry
 Foster
 Foss
 Frank (MA)
 Franks (AZ)
 Frelinghuysen
 Fudge
 Gallegly
 Garrett (NJ)
 Gerlach
 Giffords
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Granger
 Graves
 Grayson
 Green, Al
 Green, Gene
 Griffith
 Grijalva
 Guthrie
 Gutierrez
 Hall (NY)
 Hall (TX)
 Halvorson
 Hare
 Harman
 Harper
 Hastings (FL)
 Hastings (WA)
 Heinrich
 Heller
 Hensarling
 Herger
 Herseth Sandlin
 Higgins
 Hill
 Himes
 Hinchey
 Hinojosa
 Hirono
 Hodes
 Hoekstra
 Holden
 Holt
 Honda
 Hoyer
 Hunter
 Inglis
 Inslee
 Israel
 Issa
 Jackson (IL)
 Jackson-Lee (TX)
 Jenkins
 Johnson (GA)
 Johnson (IL)
 Johnson, E. B.
 Jones
 Jordan (OH)
 Kagen

Kanjorski
 Kaptur
 Kennedy
 Kildee
 Kilpatrick (MI)
 Kilroy
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirkpatrick (AZ)
 Kissell
 Klein (FL)
 Kline (MN)
 Kosmas
 Kratovil
 Kucinich
 Kucinich
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Lee (NY)
 Levin
 Lewis (CA)
 Lewis (GA)
 Linder
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Maffei
 Maloney
 Manzullo
 Marchant
 Markey (CO)
 Markey (MA)
 Marshall
 Massa
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McClintock
 McCollum
 McCotter
 McDermott
 McGovern
 McHenry
 McHugh
 McIntyre
 McKeon
 McMahon
 McMorris
 Rodgers
 McNerney
 Meek (FL)
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Minnick
 Mitchell
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy (CT)
 Murphy (NY)
 Murphy, Patrick
 Murphy, Tim
 Nadler (NY)
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Nye
 Oberstar
 Obey

Olson
 Oliver
 Ortiz
 Pallone
 Pascrell
 Pastor (AZ)
 Paul
 Paulsen
 Payne
 Pence
 Perlmutter
 Perriello
 Peters
 Peterson
 Petri
 Pingree (ME)
 Platts
 Poe (TX)
 Polis (CO)
 Pomeroy
 Posey
 Price (GA)
 Price (NC)
 Putnam
 Quigley
 Radanovich
 Rahall
 Rangel
 Rehberg
 Reichert
 Reyes
 Richardson
 Rodriguez
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rooney
 Roskam
 Ross
 Rothman (NJ)
 Roybal-Allard
 Royce
 Rush
 Ryan (OH)
 Ryan (WI)
 Salazar
 Sarbanes
 Scalise
 Schakowsky
 Schauer
 Schiff
 Schock
 Schrader
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sessions
 Sestak
 Shadegg
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Souder
 Space
 Speier
 Spratt
 Stark
 Stearns
 Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Teague
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiahrt
 Tiberi
 Tierney

| | | |
|------------|--------------|-------------|
| Titus | Wamp | Whitfield |
| Tonko | Wasserman | Wilson (SC) |
| Towns | Schultz | Wittman |
| Tsongas | Waters | Wolf |
| Turner | Watson | Woolsey |
| Upton | Watt | Wu |
| Van Hollen | Waxman | Yarmuth |
| Velázquez | Weiner | Young (AK) |
| Visclosky | Welch | Young (FL) |
| Walden | Westmoreland | |
| Walz | Wexler | |

NOT VOTING—17

| | | |
|-------------|--------------|------------------|
| Becerra | Gordon (TN) | Ruppersberger |
| Berman | Johnson, Sam | Sánchez, Linda |
| Bilbray | Kirk | T. |
| Bishop (UT) | Mollohan | Sanchez, Loretta |
| Brown (GA) | Myrick | Sullivan |
| Davis (IL) | Ros-Lehtinen | Wilson (OH) |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1559

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO REPORT TO THE HOUSE OF REPRESENTATIVES ON THE ACTIONS THE COMMITTEE HAS TAKEN CONCERNING ANY MISCONDUCT OF MEMBERS AND EMPLOYEES OF THE HOUSE IN CONNECTION WITH ACTIVITIES OF THE PMA GROUP

Mr. HOYER. Madam Speaker, I rise to a question of the privileges of the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 500

Whereas there have been allegations in the media concerning the improper involvement of Members of the House of Representatives in certain activities of the PMA Group; and

Whereas according to these media accounts and the statements of those involved, the Department of Justice is conducting an investigation into such activities of the PMA Group: Now, therefore, be it

Resolved, That not later than 45 days after the adoption of this resolution, the Committee on Standards of Official Conduct shall report to the House of Representatives on the actions the Committee has taken, if any, concerning any misconduct of Members and employees of the House in connection with such activities of the PMA Group.

The SPEAKER pro tempore. The resolution qualifies.

MOTION OFFERED BY MR. MCGOVERN

Mr. MCGOVERN. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCGOVERN moves that the resolution be referred to the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized on his motion.

Mr. MCGOVERN. Madam Speaker, this measure merits review in the Com-

mittee on Standards of Official Conduct.

I yield back the balance of my time, and I move the previous question on the motion.

PARLIAMENTARY INQUIRIES

Mr. FLAKE. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FLAKE. I just saw the resolution. I don't know if it actually just punts the ball until the appropriations cycle is done or if it actually requires that the committee investigate.

Can the committee wait for 45 days and then announce that it is not investigating the PMA scandal, and then we're at the same place we are now?

The SPEAKER pro tempore. The Chair cannot interpret the pending resolution. It is available at the desk for review.

Mr. FLAKE. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. FLAKE. This resolution, as I understand it, does not require the Committee on Standards of Official Conduct to do anything but report whether or not an investigation is occurring.

Does this motion require any action on the part of the Committee on Standards of Official Conduct?

The SPEAKER pro tempore. The pending motion is to refer the resolution to committee.

Mr. FLAKE. So no action is required.

Mr. BOEHNER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BOEHNER. Madam Speaker, does this motion do anything other than refer this worthless piece of paper to the Ethics Committee?

The SPEAKER pro tempore. The proposal is to refer the resolution to committee.

Mr. BOEHNER. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. BOEHNER. Does it require the Committee on Standards of Official Conduct to do anything?

The SPEAKER pro tempore. The proposal before the body is to refer the resolution to committee.

Mr. BOEHNER. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. BOEHNER. If the House were to adopt this motion, this resolution, would it require the committee to do anything?

The SPEAKER pro tempore. The measure would be referred to committee for its consideration.

Mr. BOEHNER. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. BOEHNER. If the House were to adopt this motion to refer this to the Committee on Standards of Official Conduct, under the previous announcement from the Chair, the Committee on Standards of Official Conduct would be required to do nothing.

The SPEAKER pro tempore. The committee would have referral of the resolution.

Mr. BOEHNER. And nothing else?

The SPEAKER pro tempore. The committee would have referral of the resolution.

Mr. FLAKE. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FLAKE. Does the resolution require that the committee report back in 45 days or 45 legislative days?

The SPEAKER pro tempore. The Chair cannot interpret the resolution. It is available for inspection.

Mr. FLAKE. Madam Speaker, the reason I ask is because within 45 days, the appropriations cycle will likely be completed.

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Without objection, the previous question is ordered.

Mr. PRICE of Georgia. I object.

The SPEAKER pro tempore. Objection is heard.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOEHNER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 270, nays 134, answered “present” 17, not voting 12, as follows:

[Roll No. 300]

YEAS—270

| | | |
|-------------|----------------|---------------|
| Abercrombie | Braley (IA) | Cummings |
| Ackerman | Brown, Corrine | Dahlkemper |
| Adler (NJ) | Buyer | Davis (AL) |
| Altmire | Capps | Davis (CA) |
| Andrews | Capuano | Davis (TN) |
| Arcuri | Cardoza | DeFazio |
| Baca | Carnahan | DeGette |
| Baird | Carney | Delahunt |
| Baldwin | Carson (IN) | DeLauro |
| Barrow | Cassidy | Dicks |
| Bean | Castle | Dingell |
| Berkley | Childers | Doggett |
| Berman | Clarke | Donnelly (IN) |
| Berry | Clay | Doyle |
| Biggart | Cleaver | Driehaus |
| Bishop (GA) | Clyburn | Edwards (MD) |
| Bishop (NY) | Cohen | Edwards (TX) |
| Blumenauer | Connolly (VA) | Ehlers |
| Blunt | Conyers | Ellison |
| Bocchieri | Cooper | Ellsworth |
| Boren | Costa | Emerson |
| Boswell | Costello | Engel |
| Boucher | Courtney | Eshoo |
| Boyd | Crowley | Etheridge |
| Brady (PA) | Cuellar | Farr |

Fattah
Filner
Forbes
Foster
Frank (MA)
Fudge
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseht Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski

NAYS—134

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bono Mack
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Chaffetz

LoBiondo
Loeb sack
Roybal-Allard
Lujan
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (FL)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascarell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pollis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez

Ross
Rothman (NJ)
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sarbanes
Schakowsky
Schauer
Schiff
Schmidt
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Sires
Skeltton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

Jenkins
Johnson (IL)
Cole
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Lamborn
Lance
Latta
Lee (NY)
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica

Miller (MI)
Miller, Gary
Moran (KS)
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Pitts
Platts
Posey
Price (GA)
Putnam
Radanovich

Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schock
Sensenbrenner
Sessions
Shadegg

Shimkus
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Wamp
Westmoreland
Whitfield
Wilson (SC)

MAKE HEALTH INSURANCE MORE AFFORDABLE FOR SMALL BUSINESSES

(Mr. ADLER of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. ADLER of New Jersey. I rise today to bring attention to the many small business owners and employees in New Jersey and across this country who cannot afford health insurance. Small businesses are the backbone of our local communities and economies. The small business owners are struggling to make ends meet under the weight of their health insurance costs, and the price just keeps rising.

I know the struggle personally. My father owned and operated a small business, a dry cleaning business. My dad lost his business after suffering multiple heart attacks without health insurance. He worked hard, supported his family, but the price of insurance was just too high. Over 30 years later, more and more families in New Jersey are still feeling the same pinch.

From the year 2000 to 2007, health insurance premiums in New Jersey increased by 71 percent, while median yearly wages increased only 15 percent. And more than 28 percent of individuals working for small businesses are living without health insurance.

I hear from small business owners in Burlington County and Ocean County almost every day. They want to provide health insurance for themselves, their families, and their employees. They just can't afford it.

That's why I'm proud to join a bipartisan group of legislators supporting the Small Business Health Options Program, or SHOP Act. The SHOP Act will allow small businesses to pool their resources and find the best options to meet the needs of their employees.

Let's support small business and their hard work and entrepreneurial spirit.

ANSWERED "PRESENT"—17

Barrett (SC)
Bonner
Bright
Butterfield
Castor (FL)
Chandler
Conaway
Dent
Diaz-Balart, L.
Hastings (WA)
Kline (MN)
Latham

Lofgren, Zoe
Myrick
Poe (TX)
Walden
Welch

NOT VOTING—12

Becerra
Broun (GA)
Davis (IL)
Gordon (TN)
Johnson, Sam
Ros-Lehtinen
Ruppersberger
Sánchez, Linda
T.
Sanchez, Loretta

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1628

Mr. BACHUS changed his vote from "yea" to "nay."

Messrs. LOBIONDO, JOHNSON of Georgia, HALL of Texas, GOHMERT, MINNICK, GERLACH, WOLF, Mrs. BIGGERT and Mrs. SCHMIDT changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BROUN of Georgia. Madam Speaker, today, I missed the following votes: Rollcall Nos. 295, 296, 297, 298, 299, and 300. If I had been able to make these votes, I would have voted "aye" on rollcall votes 296, 298, and 299, I would have voted "nay" on rollcall votes 295, 297, and 300.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 3, 2009.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: Given my nomination by the President as Secretary of the Army, this letter serves as my intent to resign from the Committee on Armed Services, effective today.

Sincerely,

JOHN M. MCHUGH,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

AMERICAN ENERGY INNOVATION ACT

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Summer travel season is here and prices at the pump are climbing. Rather than pursuing policies that will help Americans who are already struggling, as well as reduce our dependence on foreign energy, some in this body are leading us down a very different path.

This Congress' decision to embark on a journey toward a future where cap-and-trade taxes every man, woman, and child who dares to flip on a light switch or drive to the grocery store is the wrong approach. There's no doubt we can take better care of our environment, and I'm convinced that with an

all-of-the-above approach taken in the American Energy Innovation Act, we can produce clean alternative energy without breaking the bank of American families.

Why do I think that? Because to address our energy demand we need look no further than Kansas.

From the nuclear plant in Burlington, wind farms in Pottawatomie County, biodiesel produced from crops grown in Kansas, we do it all there. All we ask is to be allowed to do it.

POLAND AND THE VISA WAIVER PROGRAM

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, Poland has proven to be an indispensable ally in the global campaign against terrorism. Poland demonstrated its commitment to global security by becoming a member of the North Atlantic Treaty Organization and has been a staunch ally to the United States during Operation Iraqi Freedom.

Poland has been a valuable member state of the European Union, joining several other member states like France and Germany that take advantage of the visa waiver program. Poland unilaterally repealed a visa requirement for United States citizens traveling to Poland.

I strongly believe that the United States should extend the visa waiver program, with its enhanced program security requirement, and extend visa-free privileges to Poland, a country that has proven its steadfast dedication to the cause of freedom and friendship with the United States.

Poland has done much for the United States. Now it is our time to repay this great country.

HAZY POLITICAL CLIMATE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the State of Texas is caught in the crosshairs of a green movement hostile and detrimental to our energy industries. Texas produces 1 million barrels of oil every day, or 20 percent of the U.S. production. We're also home to refineries that produce one-quarter of the country's gasoline and also produce oil by-products for plastics.

The new cap-and-trade tax will destroy thousands of Texas jobs, and the Congressional Budget Office says that the tax on energy won't even help the climate. No matter, the taxacrats in Washington want to punish red energy State voters by nailing them with the new disastrous tax on energy consumption.

In the name of saving planet Earth, the government barons are trying to push us to so-called "green" energy sources that don't even exist yet. Green energy that will support this

country's needs is at least 10 years away.

The immediate solution right in front of us is expanding our own oil and gas production while we develop these new technologies. That will create jobs, keep money in America, and make us less dependent on foreign oil. But that logic is lost in the hazy political climate of Washington.

And that's just the way it is.

THINK ABOUT THIS

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. America's manufacturing base is being decimated, but it's not only happening because of economic trends in our country.

Yes, our gross domestic product has fallen off. Yes, we have a massive trade deficit. But this week when GM filed for bankruptcy—GM was pushed into bankruptcy, and when they were pushed into bankruptcy, we also lost 14 manufacturing plants, 21,000 jobs, and 2,400 dealerships are going to be closed.

Think about this. If we take away this manufacturing infrastructure of manufacturing and dealerships and suppliers, what happens when our economy comes back? We will have permanently altered our ability to produce cars in this country.

I want the Members of Congress to consider this when you think about this administration's auto task force. It hasn't gone the right way for the American worker, it's not going the right way for American manufacturing, and it's not going the right way for the American economy.

ENERGY SHELL GAME

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. The national energy tax has moved its way out of the Energy and Commerce Committee. It's called the cap-and-trade, and what it means is everyone pays more for the use of fossil fuels.

This is what happened in Illinois when we passed the last Clean Air Act amendments; 14,000 miners lost their jobs. In the State of Ohio, 35,000 miners lost their jobs.

What is the solution? An all-of-the-above energy policy that talks about the Outer Continental Shelf, brings on energy from coal, does renewable coal, does renewable wind and solar and renewable fuels like ethanol and biodiesel. We can produce the energy needs for this country right here in this country.

The national energy tax, this cap-and-trade shell game, will not do it. It will only destroy this country.

GUNS IN NATIONAL PARKS

(Mr. MORAN of Virginia asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, just before we went into the last recess, we passed much-needed, overdue legislation relating to credit card abuse. That was a good, responsible thing to do. But in the process of doing that, this Congress did something that was grossly irresponsible. We passed legislation enabling anyone who wants to bring a loaded, concealed firearm onto national parks, so that the hundreds of thousands of American families who would like to enjoy our parks safe in the knowledge that their families are secure from the threat of wanton violence can no longer have that sense of security.

A particularly egregious case in point is the Wolf Trap Center for the Performing Arts, a national treasure. Any number of performing artists are now informing Wolf Trap that they do not want to go to Wolf Trap because their lives are endangered by this legislation.

It's time to fix this legislation, provide for the security of the American people, and not the profit of the National Rifle Association.

IN RECOGNITION OF JOHN MCHUGH

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to recognize our friend and colleague, JOHN MCHUGH, who was nominated by President Obama to be the next Secretary of the Army.

I have had the pleasure to work with JOHN on a number of different issues pertaining to our military and their families. I have always been grateful for his leadership on the House Armed Services Committee and, in particular, his role as the ranking member on the committee promoting military personnel.

JOHN brings a lifetime of military knowledge and experience which will serve him, our soldiers, and our Nation well. He is committed fully to our servicemembers, and he understands how particularly vital the families of our military are to ensuring a strong national defense.

I know JOHN will be passionate as an advocate for our military families as Secretary of the Army, as he has been in Congress for the last 16 years. I saw firsthand his appreciation of our troops when he toured Fort Jackson, South Carolina, last year.

In conclusion, God bless our troops, and we will never forget September 11th.

MEDIA IGNORE NEGATIVE STORIES ABOUT SOTOMAYOR

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the national media have conspicuously ignored two recent stories about Judge Sotomayor. The Washington Times reported last week that three out of five majority decisions written by Judge Sotomayor and reviewed by the United States Supreme Court have been overturned. That's a 60 percent overturn rate.

In another story, the Washington Times reported on findings of the Almanac of the Federal Judiciary. It revealed that out of 21 judges reviewed, Judge Sotomayor was the only one who received decidedly negative comments about her demeanor on the bench.

Not surprisingly, there's been no mention of the questions raised about the judge's qualifications in any major newspaper or on any network TV news program.

Supreme Court nominees should face scrutiny from the national media if they're doing their job. Americans need the national media to set aside their bias and report the facts about Judge Sotomayor.

CONFIDENTIAL DOCUMENT MADE PUBLIC

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, it was reported today in the New York Times that the Federal Government mistakenly made public a 266-page report marked "highly confidential," and it gives detailed information about hundreds of the Nation's civilian nuclear sites and programs, including maps that show the precise locations of stockpiles of fuel for nuclear weapons.

Can you believe that? A confidential document that is supposed to be kept secret was publicized, and every terrorist in the world now knows exactly where our nuclear supplies are stored and maps showing where, in detail, these nuclear supplies are stored.

Now, hopefully, they're very secure and there's a lot of guards around there to protect us. But I think it's tragic that top secret information, highly classified information, is being made public at a time when we're fighting a war against terrorism.

It makes absolutely no sense. And those who are responsible for making this public should be held accountable.

□ 1645

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DRIEHAUS). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

LOSING SIGHT OF OLD GLORY

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Mr. Speaker, recently, in Texas, we actually had a woman ordered to remove her American flag from her work space. Debbie McLucas works at Kindred Hospital in Mansfield, Texas. She comes from a very patriotic family. Her husband and both of her sons served in the United States military. Her daughter is a combat medic and is currently deployed on her second tour of duty in Iraq.

When Debbie arrived at work the Friday before Memorial Day, her American flag was gone from her hospital work space. She had displayed it in honor of Memorial Day and in honor of our troops. Debbie was met by her supervisor and was told that there had been complaints about the American flag. An immigrant coworker had complained that the American flag was offensive, so the flag was taken down by management. Debbie found her flag wrapped around the pole and laying on the floor in the corner of her supervisor's office.

Debbie McLucas said in an interview that one of her colleagues who had migrated to the United States from Africa 14 years ago had complained to the supervisor. Debbie was then told by management that it only took one complaint, and the so-called "offensive" flag had to come down immediately. Debbie told her supervisor that she was offended that somebody removed the flag. She said she could not fathom that anyone in America would find the American flag objectionable.

As soon as this episode hit the news wires, there was outrage from sea to shining sea and rightfully so. After all, Debbie's freedom of speech to display the flag was stolen by the hospital elites because one person whined and griped. Let me tell you about how some Americans appreciate the flag as Debbie McLucas does.

Several years ago during the Vietnam War, a university student in Houston, Texas, had desecrated the American flag. He was charged under Texas law with the felony of flag desecration. That was before the Supreme Court gave peaceniks the right to burn the flag, saying it was free speech. Anyway, two young prosecutors—Vic Pecorino and Andy Horn, a recent returning Vietnam veteran—had to prove to the jury that the flag was, in legal terms, a venerated object, or one that deserves special treatment.

After proving the case, except for this one requirement, the State called Chris Cole, a judge, to prove that the flag had to be treated in a respectful manner. He came in to testify, accompanied by his seeing eye dog. Judge Cole was a marine in World War II. He was involved in the bloody island hopping of the South Pacific. During the flag trial, he was asked by the prosecutors when the last time was he saw the U.S. flag.

He paused, and with a tearful response, he said, The last time I saw the

flag it was raised on Mt. Suribachi on Iwo Jima Island in 1945. You see, several days later, Judge Chris Cole had a Japanese hand grenade explode near him, and he permanently lost the sight in both eyes. He never saw Old Glory again.

In the flag trial, the defendant was convicted by the jury because they thought, as Judge Cole testified, that the flag holds special significance to Americans; but the law was declared unconstitutional by the Supreme Court.

There are a lot of Americans, especially those who serve in the military, who hold the view that the flag represents everything that is good and right about our Nation and that it is their right to display the flag.

Mr. Speaker, the flag is displayed here on the wall behind me. Each morning, Members of Congress pledge allegiance to the flag as do schoolchildren across the vast plains of America. Obviously, Debbie McLucas is another one of those Americans who respects the values that the flag represents, and she wishes to proudly display it. Debbie McLucas should be praised for exercising her constitutional right of freedom of speech by displaying America's flag.

So, in her honor and to honor her military family, I have requested that an American flag be flown over the United States Capitol on Saturday, June 6, on the 65th anniversary of the D-day landing of Normandy during World War II. The flag will be sent to this American lady in appreciation of her patriotic spirit, of her loyalty to American warriors and to the American flag. May she display it proudly.

And that's just the way it is.

IT IS TIME FOR SMART POWER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, everyone here in the House of Representatives knows that I've been a critic of our Nation's long occupation of Iraq. Our strategy there has relied almost exclusively on military power, which is what got us into this quagmire that we still can't escape. Now I fear we're making the very same mistake in Afghanistan and Pakistan because over 90 percent of the supplemental budget for Afghanistan and Pakistan, which the House passed just a few weeks ago and which I opposed, goes strictly toward military purposes, and less than 10 percent goes toward the building of our smart power in that region.

"Smart power" means investing in humanitarian assistance, in economic development, in reconciliation, and in reconstruction. It means helping the Afghan people to improve their transportation, their health care, their education, and their agricultural systems. It means investing in their judiciary and law enforcement systems to expand the rule of law. It means creating

jobs, building up local capacity and improving the lives of women and girls, and it means strengthening our diplomatic operations in the region.

All of these efforts are desperately needed to shore up the fragile governments in Afghanistan and Pakistan. They're desperately needed because we must offer the people a better life. We must give the people of Afghanistan real hope for a better future because that is the best way to defeat the Taliban, and it is the best way to bring peace and stability to the region. We will never be able to do that if we nickel and dime smart power.

Even our own counterinsurgency strategy recognizes this. It calls for an 80-20 ratio. That means 80 percent of our funds being spent on the smart investment that I just mentioned with 20 percent going to purely military spending. Currently, we've got a 90-10 split going the opposite way. We're actually ignoring our own best strategy.

On this subject, I would like to call the House's attention to remarks that were recently made by Ambassador Akbar Ahmed, the former High Commissioner of Pakistan to Great Britain. He spoke about Pakistan's Federally Administered Tribal Areas, the very explosive area on the border between Pakistan and Afghanistan.

Referring to the tribes there, he said, "A successful strategy to deal with them is not to take them head on—sending in troops, throwing grenades and missiles or sending in tanks."

Instead, he said that we should be working to win the hearts and minds of the tribal members, of those who have a great sense of pride and dignity. He said, if America did that, there would be "resistance to the Taliban, not from 30,000 feet in the sky but right here on the ground."

He also said, "The one thing every Pakistani wants for his kids is education." If America helped to improve education in that country, he said that we could turn things around in a few years and that America's greatest enemies will become America's allies.

Mr. Speaker, the American people want a strategy for Afghanistan and Pakistan, a strategy that will protect the lives of our troops, that will strengthen our national security and that will help the people of that region to lead better lives. I've recommended a plan to accomplish this. It's House Resolution 363, the SMART Security Platform for the 21st Century. I'm hoping every Member of the House reads it and remembers that smart power is not soft power. It's the real power, the power we need to keep America safe and to make our world peaceful.

CONGRATULATING THE 2009 MILITARY SPOUSE OF THE YEAR: TANYA QUEIRO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES. Mr. Speaker, I rise today to congratulate Tanya Queiro, who was named the 2009 Military Spouse of the Year.

The honor is presented by USAA to an individual who embodies the best qualities of today's military spouse. USAA is a diversified financial services group of companies that serves the members of the United States military and their families. The award honors the sacrifices and selfless service of the more than 1 million military spouses who provide unwavering support to our Armed Services today and to those who have served in previous generations.

Tanya Queiro was chosen from more than 650 nominations submitted to "Military Spouse" magazine. The criteria used to select the winner include one's impact on community change, one's volunteerism, personal sacrifice, education, career pursuits, and other spouse-related efforts. During an awards ceremony in Washington, D.C., Mrs. Queiro was honored for her commitment to the troops, for the ongoing support of her active duty husband, Gunnery Sergeant Jose Queiro, for her volunteer work, and for the many contributions to her community.

Mrs. Queiro, herself, served as an active duty marine for more than 12 years. It was during this time that she met and married her husband, that she began raising her three children and that she began earning her bachelor's degree and also her master's degree. Now, in addition to raising her children—Jose, Marcus and Adrianna—and managing the house while her husband deploys, she works full time as a human resources specialist and is pursuing a doctorate degree in organization and management.

Mrs. Queiro has also managed to find the time to be extremely active in her community. She is a USDA New Leader Program graduate, an active Civilian Career Leadership Development participant and mentor, an American Military University Career mentor, and an Operation Noble Heart volunteer. She has volunteered as a Life Style, Insight, Networking, Knowledge, and Skills mentor, Onslow County Women's Shelter Victim Advocate, and Key Volunteer. As a lifetime member of the Women's Marine Association, Mrs. Queiro is dedicated to cementing the bond and comradery shared by those who have gone through the training to become United States Marines.

Mr. Speaker, I had the pleasure of meeting Mrs. Queiro last week in my district office in Greenville, North Carolina. She is a resident of Jacksonville, North Carolina, which is part of my congressional district. Her outstanding record of achievement and of continued commitment to her husband, to her children, to the United States Marine Corps family, and to her community are truly inspiring. Once again, I extend my sincere congratulations to Mrs. Queiro for a well-deserved honor.

Mr. Speaker, before closing, as I do frequently on the floor of the House, I

ask God to please bless our men and women in uniform. I ask God to please bless the families of our men and women in uniform, and I ask God, in his loving arms, to hold the families who have given a child dying for freedom in Afghanistan and Iraq, and I ask God three times: Please God, please God, please God, continue to bless America.

□ 1700

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

FREEDOMS AND QUALITY OF LIFE ARE BEING THREATENED RIGHT HERE AT HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, the freedoms and the quality of life of Americans is being threatened right here at home not necessarily just by those outside the country but here at home. And I want to tell you why tonight. We're talking about a socialized approach to medicine called national health care that's going to cost billions and billions and probably trillions of dollars. It will take away from people their right to pick their own doctor in many cases; and it will cause the rationing of health care, which will put people, particularly seniors, at the back of the line when it comes to very important things that have to be done to them to keep them alive and healthy. It's going to cost trillions of dollars; and in the budget that we passed earlier, this last month, they put \$635 billion in there as a down payment, the first tranche, on socialized medicine which will take away a lot of the freedoms that people have in choosing their own doctor and getting qualified health care.

The second thing that is being threatened is the control of our financial institutions. We passed a TARP bill that bailed out a lot of Wall Street companies and banks. And because of that, a lot of those financial institutions are now directly or indirectly controlled by the Federal Government. I don't think the American people want that. They don't want socialism in this country. They don't want a government-controlled economy or financial institutions.

So we have national health care that is going to be controlled by the government. They don't do a very good job of controlling other things in this country, as many of us know, but national health care and now financial institutions. And then next we have the automobile industry. The government just acquired 61 percent of the control of

General Motors, which we should be calling I guess now Government Motors or Obama Motors because it is, in effect, controlled by the government even though the President said that he really didn't want to control the auto industry. In fact, that's what's being done.

Finally, we're talking about the energy section of our economy. We have a bill that's come out of committee that's going to be on the floor before too long called cap-and-trade. It's going to cost every single family in America between \$3,000 to \$4,000 in additional expenditures for electricity, additional taxes on gasoline that's passed on to them and other forms of energy because of CO₂ emissions. Now we have a terribly difficult economy right now. Can you imagine the average family, having to load on their backs an additional \$3,000 to \$4,000 in expenses for energy every time you turn on a light switch or anything else? But that's a fact. It's going to happen if that bill becomes law.

In addition to that, we're going to lose millions of jobs because China has already said they would not comply with the same environmental standards we're talking about and neither would India or many other countries in

the world that are competitors of ours. So they won't have to pay for those costs that the American people are going to have to pay for, that American industry is going to have to pay for. So those jobs will be going overseas, millions of them, because we're loading on the backs of individuals and American industry additional taxes and expenses that our competitors around the world will not have to pay. So when they make a car, a truck or a refrigerator, they'll be able to do it with less expense because they don't have to live up to the same environmental standards that we do.

This is a very difficult time for America. We're losing jobs. We see people suffering all across this country. But I'm concerned not only about today, but I'm concerned about tomorrow. We don't want to see this governmental structure that we hold so dear and the freedoms we hold so dear go right out the window, and that's what's happening today right before our very eyes. We see the government taking over the health care industry, the financial institutions, the automobile industry; and now they're going to try to take over the energy industry as well.

I hope my friends across this country and my colleagues are paying attention because this government is turning very rapidly toward a controlled economy which is called socialism, and that's anathema to this country and should be anathema to every single American.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

Mr. SPRATT. Madam Speaker, under section 422(c) of S. Con. Res. 13, the concurrent resolution on the budget for fiscal year 2010, I hereby submit a revision to the budget aggregates and allocations for the Committee on Appropriations for fiscal year 2010. A table is attached.

This revision represents an adjustment for the purposes of sections 311 and 302 of the Congressional Budget Act of 1974, as amended. For the purposes of the Congressional Budget Act of 1974, as amended, this revised allocation is to be considered as an allocation included in the budget resolution, pursuant to section 427(b) of S. Con. Res. 13.

BUDGET AGGREGATES

[(On-budget amounts, in millions of dollars)]

| | Fiscal year— 2009 | Fiscal year— 2010 | Fiscal years— 2010–2014 |
|--|----------------------|----------------------|-------------------------------|
| Current Aggregates: ^{1,2} | | | |
| Budget Authority | 3,668,777 | 2,878,341 | 3 |
| Outlays | 3,354,482 | 2,995,863 | 3 |
| Revenues | 1,532,571 | 1,653,682 | 10,499,809 |
| Change for CBO repricing of President's request (Section 422(c) of S. Con. Res. 13): | | | |
| Budget Authority | 0 | 3,766 | 3 |
| Outlays | 0 | 2,355 | 3 |
| Revenues | 0 | 0 | 0 |
| Revised Aggregates: | | | |
| Budget Authority | 3,668,777 | 2,882,107 | 3 |
| Outlays | 3,354,482 | 2,998,218 | 3 |
| Revenues | 1,532,571 | 1,653,682 | 10,499,809 |

¹ Current aggregates do not include the disaster allowance assumed in the budget resolution, which if needed will be excluded from current level with an emergency designation (section 423(b)).

² Current aggregates exclude the allocation adjustment made for the House-passed Supplemental Appropriations bill. Final action on the supplemental may change the adjustment.

³ Not applicable because annual appropriations Acts for fiscal years 2011 through 2014 will not be considered until future sessions of Congress.

DISCRETIONARY APPROPRIATIONS—APPROPRIATIONS COMMITTEE 302(a) ALLOCATION

[In millions of dollars]

| | BA | OT |
|--|-----------|-----------|
| Current allocation: ¹ | | |
| Fiscal Year 2009 | 1,391,471 | 1,220,843 |
| Fiscal year 2010 | 1,082,540 | 1,269,745 |
| Change for CBO repricing of President's request (Section 422(c) of S. Con. Res. 13): | | |
| Fiscal Year 2009 | 0 | 0 |
| Fiscal Year 2010 | 3,766 | 2,355 |
| Revised allocation: | | |
| Fiscal Year 2009 | 1,391,471 | 1,220,843 |
| Fiscal Year 2010 | 1,086,306 | 1,272,100 |

¹ Excludes the allocation adjustment made for the House-passed Supplemental Appropriations bill. An adjustment will be made at the next stage of action.

MISTAKES: JUST A FEW!

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, in the last few years in interviews on the economy, I've been asked what I would do if I were in charge. In answering the question, I usually started with explaining the errors we made that gave us the crisis. The interviewer fre-

quently responded by saying that he wasn't interested in the cause of the problems, only what we should do now to correct it. This is a typical attitude in Washington, but we cannot expect correct policies to be implemented if we don't understand the cause of the crisis. Instead, we have pursued all the wrong policies. Let me list a few mistakes we have made.

We have failed to recognize the true cause of the crisis. Instead, free markets and not enough regulations and central economic planning have been blamed.

We continue to listen to and give too much credibility to the very people who caused the crisis and failed to predict the onset.

A massive single-year debt increase of \$2 trillion and a \$9 trillion stimulus by Congress and the Federal Reserve verges on madness.

This has entailed taxpayers being forced to buy worthless assets, proping up malinvestments, not allowing the liquidation of bad debt, bailing out privileged banking, Wall Street and

corporate elites. We promote artificially low interest rates which eliminates information that only the market can provide. Steadily sacrificing economic and personal liberty is accepted as good policy. Socializing American industry offers little hope that prosperity will soon return.

Inflating the money supply over 100 percent in less than a year is no way to restore confidence to a failing financial system. Expect huge price increases in the future.

We have set the stage for further expanding the money supply many folds over through fractional reserve banking.

We deliberately liquidate debt, especially government debt, by debasing the currency. We refuse to accept the fact that the debt cannot be paid, and future obligations are incomprehensible with revenues crashing and unpredictable while expenditures are put on auto pilot with no new request being denied.

There's an attitude that the deficit and inflation can be dealt with later

on, yet tomorrow will be here sooner than later.

Plans are being laid for a super regulator, even if it takes a worldwide government organization like the IMF to impose it.

Promising the IMF \$100 billion when we can't even take care of our own people's medical needs is obviously absurd.

Plans are laid to massively increase taxes, especially with the carbon tax, that when tried in other countries didn't work and had many unintended consequences.

A national sales tax, now being planned, sends bad signals to investors, consumers and workers.

The deeply flawed neoconservative foreign policy of expanding our militarism in the Middle East and Central Asia continues.

There's no end in sight for secret prisons, special courts, ignoring the right of habeas corpus, no penalties for carrying out illegal torture and a new system of preventive detention. We continue to protect the concepts of state secrets and Presidential signing statements. We are enlarging Bagram prison in Afghanistan, and there's no cessation of the senseless war on drugs.

Indeed, as former Vice President Dick Cheney has said, we're in greater danger today than under the Bush administration; but it's not because we're not following the Cheney-Bush foreign policy of preventive war, but rather because we are. The Bush doctrine on war is still in place, and the economic failures of the previous administration are being continued and expanded.

The policies required to provide a solution to this catastrophic crisis we face are available. We must apply a precise philosophy of liberty along with respect for private property ownership, free markets, voluntary contracts enforced by law and free minds.

Also required is the adoption of a commonsense foreign policy that requires us to stay out of the internal affairs of other nations.

Pretending that politicians, central bankers and regulators have the knowledge to centrally plan the economy and police the world only makes things worse. Realizing this provides the necessary first step to salvage our economy and liberty.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mrs. MILLER) is recognized for 5 minutes.

(Mrs. MILLER of Michigan addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE RELEASE OF UYGHUR DETAINEES FROM GUANTANAMO BAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, on Thursday, May 21, the President delivered a speech at the National Archives on the closing of the detention center at Guantanamo Bay and other national security matters, yet today we have no more additional information about his plans to close Guantanamo Bay than we did before. We still don't have any answers on which detainees he's planning to transfer to the United States, where they will be tried or how the administration intends to protect the American people. We still don't have any information on his plans to release into our communities trained Uyghur terrorists, and that is unacceptable.

As I have said on numerous occasions, this issue isn't about closing Guantanamo Bay. My concern is that the order was given before a comprehensive plan was in place which sufficiently addressed national security concerns. I have sent three letters to Eric Holder since March asking specific questions about the disposition of the detainees. I still have not received a response.

Last week, Military Families United, an organization representing America's Gold and Blue Star families, announced its opposition to the release of the Uyghurs. Rather than work with Congress, Eric Holder is preventing career officials with the FBI, CIA, the Department of Homeland Security and other agencies from briefing Members of Congress on plans to relocate detainees once Guantanamo Bay is closed.

The Germans, who had tentatively agreed to accept the Uyghur detainees, have complained that the administration won't share enough information with them for an independent assessment of the detainees' security risk. According to The Washington Post, "More trouble emerged when Washington stipulated that the Uyghurs would be barred from traveling to the United States."

What is Eric Holder hiding from the American people and our allies? The administration has a moral obligation to provide information to the American people on any detainee they plan to try or to release in the U.S.

Last week, Newsweek magazine reported that the Attorney General planned to secretly fly the Uyghur detainees from Guantanamo Bay and release them in Northern Virginia—without telling the American people or telling the Congress. Those Uyghur detainees are part of the Eastern Turkistan Islamic Movement, led by Abdul Haq who sits on the governing council of al Qaeda. The Obama Treasury Department designated Haq as an al Qaeda leader last month; and yet Eric Holder says, Well, we're still going to release them. Regardless of whether or not they have vowed to attack Americans, a trained terrorist is a terrorist.

Their release is particularly troubling given the recent New York Times article, indicating that one out of every seven low-security prisoners released from Guantanamo Bay were re-

captured on foreign battlefields fighting American forces.

□ 1715

What does this say about the threat from the medium and high-security risk detainees still being held? What does it say when FBI Director Mueller tells Congress that he shares our concerns about transferring detainees to U.S. prisons? During a recent hearing, Director Mueller stated that detainees could support terrorism, even radicalize other inmates in high-security prisons, if sent to the United States.

Other press reports indicate that officials within the Department of Homeland Security also opposed releasing detainees in the U.S.

Aside from the Uyghur detainees, many other detainees at Guantanamo Bay who may be moved to the U.S. for trial are self-admitted members of terrorist groups that actively try to break out of prisons.

Eric Holder would have you believe that detainees would be sent directly from Guantanamo Bay to a super maximum prison. In fact, detainees transferred for trial in civilian courts would have to be held in a facility near that venue and would only possibly be transferred to a super maximum prison if convicted. These are local jails similar to the lower-security Alexandria jail that held Zacharias Moussaoui during the 4 years he was on trial.

Such a move could mean Khalid Sheikh Mohammed, the mastermind of the 9/11 attacks and the man who brutally beheaded Wall Street Journal reporter Daniel Pearl, could be held in Alexandria for 6 or 7 years. Above all, I'm concerned that the presence of these high-profile detainees could possibly cause major problems for the communities.

In closing, Mr. Speaker, I believe that any trials or military commissions should be held on military bases far away from the civilian population centers. I would hope that Eric Holder is taking these concerns into account, but he has continued to deny Members of Congress access to this information.

ON SEAN GOLDMAN: JUSTICE DELAYED AGAIN

The SPEAKER pro tempore (Mr. PETERS). Under a previous order of the House, the gentleman from New Jersey (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Speaker, child abduction is a serious crime that no legitimate government or self-respecting judicial body anywhere on Earth should ever countenance, support or enable by either direct complicity or incompetence. But the denial of fundamental justice in the kidnapping of an American child is exactly what has happened, and is happening, in Brazil today.

The tragic kidnapping case of Sean Goldman, pictured here with his dad, David, now in its almost fifth year,

raises serious and troubling questions concerning the Lula administration's commitment to honoring its clearly defined international obligations.

Mr. Speaker, why has Brazilian President Lula's government so comprehensively failed to honor and respect international law, namely the Hague Convention on the Civil Aspects of International Child Abduction, which it freely, and without reservation, signed and ratified, to expeditiously return a kidnapped child to the left-behind parent in the country of habitual residence?

David Goldman's 9-year-old son, Sean, was abducted by his now-deceased mother almost 5 years ago. For 5 long years, David, his dad, has sought relief in the Brazilian courts. And with the aid of an extraordinarily talented legal team and a group of dedicated loved ones at home, friends and neighbors, David Goldman has left no stone unturned in trying to get his son back. Because of the Lula Government's complicity and/or incompetence, however, David Goldman has been frustrated at every turn.

Justice was delayed again, thus denied again, earlier today when a clear, unambiguous order to return Sean to his dad and to the United States was frustrated by yet another legal filing.

At its core, Mr. Speaker, it is utterly outrageous that Lins e Silva, a well-connected lawyer, who is not Sean's father, continues to hold Sean. By abducting a boy that is not his son, Lins e Silva commits what is among the most cruel, unethical and brazen acts of continuing illegality imaginable. Even Brazilian court-appointed psychiatrists have said that with each passing day, Sean is being harmed by his continued abduction.

This week, Mr. Speaker, all of us involved in the case were cautiously optimistic about a positive ruling by a Brazilian federal court judge ordering the abductor to turn Sean over at the U.S. Consulate in Rio De Janeiro at 2 p.m. today so that David could immediately bring his son back to the United States.

Sadly, it didn't happen. A new appeal, filed by individuals associated with the abducting party, has resulted in the Brazilian Supreme Court suspending the federal court's order to return Sean. This filing apparently seeks to nullify Brazil's obligations under the Hague Convention treaty on child abduction, a delaying and obstructionist tactic that will further harm Sean and continue the extreme agony of his father. We have been told that perhaps the supreme court will decide the case by next week. Yeah, we'll see.

I would note parenthetically that if a political party in Brazil, and they are the ones who brought the case, wants to challenge Brazil's accession to the Hague Convention, or any part of it, it should do so without taking Sean Goldman hostage.

Enough is enough, Mr. Speaker. It is long past time to bring Sean Goldman

home. The Brazilian Government must more fully understand that these reckless legal maneuverings which have no finality or compassion or justice and bring dishonor on the Brazilian Government. How long will President Lula allow this disgraceful charade to continue?

Let me be clear on this, Mr. Speaker. Our argument isn't with the Brazilian people, for whom I have deep affection and admiration, as do my colleagues in this Chamber. Many Brazilians have supported David Goldman's quest for justice against two wealthy and politically powerful families that brazenly abuse their connections and exercise grossly undue influence over certain parts of the Brazilian judiciary.

The Lula Government has failed to honor its commitments under international law. And because of that, a son has been deprived of his father, and a father has been deprived of his son.

That is unconscionable.

THE 65TH ANNIVERSARY OF OPERATION OVERLORD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, this Saturday, June 6, 2009 marks the 65th anniversary of D-day.

Sixty-five years ago, 150,000 Allied soldiers, many of them just teenagers, braved tumbling seas, inclement weather, waves of machinegun fire and millions of land mines to take a stretch of beach at a place called Normandy. The bravery and sacrifice of these young men began the Allied effort to liberate Europe from Nazi occupation during World War II. D-day signaled the beginning of the end for the brutal fascist regime bent on global domination, and the return of hope to millions across the world.

With the enormity and significance of D-day, it is often difficult for our minds to comprehend that such a historic undertaking was carried out by individual everyday Americans. However these individuals were not ordinary people. Rather, they possessed profound determination, courage and commitment to purpose and were led by extraordinary leaders with unrivaled character and unmatched vision.

No star shined brighter at this dangerous hour than one of our greatest Kansas sons, General Dwight D. Eisenhower. Dwight D. Eisenhower, a boy from Abilene, Kansas, grew up to serve America as Supreme Commander of the Allied forces during World War II and later as our 34th President. During the most difficult days of World War II, General Eisenhower made the crucial and controversial decisions necessary for victory.

With the responsibility of Operation Overlord, the largest amphibious invasion in the history of the world, General Eisenhower was fully aware that

weather would play a critical factor in the success of D-day and the safety of hundreds of thousands of troops. Under the full weight of these consequences, he elected to delay the massive undertaking by one day due to weather concerns. Faced with only marginally better weather forecast the next day, June 6, 1944, he ordered the commencement of the operation and took sole responsibility for this critical decision, a choice that ultimately determined the outcome of the war.

General Eisenhower's words to his troops on D-day are inscribed at the national World War II Memorial. He is quoted, "You are about to embark on the Great Crusade, toward which we have striven for many months. The eyes of the world are upon you. I have full faith in your confidence, in your courage, devotion to duty and skill in battle. We will accept nothing less than full victory."

No one understood the historical enormity of D-day more than General Eisenhower. His sense of responsibility was profound. Following the successful landing at Normandy, one of Eisenhower's aides discovered a note that Eisenhower had scribbled before the invasion. It read, "Our landings in the area have failed to gain a satisfactory foothold, and I have withdrawn the troops. My decision to attack at this time and place was based upon the best information available. The troops, the air, and the Navy did all that bravery and devotion could do. If any blame or fault attaches to the attempt it is mine alone."

In these current times of great national challenges, we need leaders who possess the same sense of responsibility.

I'm honored to serve as a Commissioner on the Dwight D. Eisenhower Memorial Commission. The Commission was established by Congress in 1999, and it is charged with creating a permanent national memorial to our World War II hero and 34th President. Following a rigorous selection process, the commission has selected a world-renowned architect, Frank Gehry, as the lead designer for the memorial. The National Eisenhower Memorial will reflect Ike's great legacy and his optimism for America's future. It will illustrate his love of democracy and country, and his faith in international cooperation and understanding. In fact, his memorial will be the first to reach out to international visitors in their own languages.

President Eisenhower represents the best of Kansas and the best of America. This weekend, as we pause to remember those veterans who selflessly gave their lives for the cause of freedom on a foreign French beach 65 years ago, my hope is that we will reflect upon the principled leadership, conviction and commitment shown by General Eisenhower, a man who never forgot that his first responsibility was to lead a coalition to the best of his ability to victory. Indeed, we currently face tough

and uncertain times ourselves, but in these difficult times, it is important to remember President Eisenhower's words: "America is exactly as strong as the initiative, courage, understanding and loyalty of our individual citizen."

THIS IS NOT THE TIME TO CUT THE MISSILE DEFENSE BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. FLEMING) is recognized for 5 minutes.

Mr. FLEMING. Mr. Speaker, on April 5 of this year, North Korea launched a missile capable of hitting nations friendly to us and even parts of the United States. The rocket broke apart during its second phase, but it was able to track halfway across the Pacific Ocean.

What was our response to the growing threat? We announced the missile defense budget would be cut by \$1.4 billion.

On May 25, 2009, North Korea successfully detonated a nuclear bomb at an underground test facility and launched at least six separate short-range ballistic missiles. And I understand that the bomb was about a 3- to 5-kiloton magnitude bomb.

Now there is news that North Korea may be preparing another long-range missile test. North Korea's nuclear weapons testing and production have been a major concern for years as they continue to make technological advances that could one day allow them to deliver a nuclear warhead anywhere in the U.S. This is not the time to cut our missile defense budget.

Mr. Speaker, we must continue to invest in the ground-based sensors to track, intercept and destroy missiles during the mid-course of flight and ensure America is protected against attacks from those who pose the biggest threat to our safety and freedom.

History remains clear on this. Being unprepared or passive always invites aggression.

CONTROL CARBON AND CONTROL LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Utah (Mr. BISHOP) is recognized for 60 minutes as the designee of the minority leader.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate that opportunity and the opportunity of being here. As somebody who is old, I remember the good old days when we still had vinyl albums. If I wanted to buy a song, I had to buy the entire stupid record. Today, my kids tell me they have these neat things called "iPods" in which, if they want a song, all they have to do is download a song. They get to pick exactly what they want to.

I'm in one of those situations where I go in a supermarket and I realize I can stand in that aisle and I have lit-

erally hundreds of cereals from which to choose. Or if I want to watch a movie, Netflix has thousands of options for me to choose from. There are millions of songs I could download. There are even 34 types of Eggo waffles. Our entire life is run with options and choices by American people.

In fact, the only segment of our life in which the concept of options seems to have dissipated is with the government, because the government is still here to pick winners and losers and decide how I will or will not live my lifestyle. The government is still here to try to go back to those halcyon days of the Carter administration where the government told you where to put your thermostat, how fast to drive and on which days you could or could not get gasoline for your car. It is a lifestyle that happens to be there.

We are dealing with a situation which may be, in essence, one of the biggest lifestyle changers we have ever had in this world with cap-and-trade, because we are talking about carbon policy. As was written in 2007, controlling carbon is a bureaucrat's dream. If you can control carbon, you can control life.

One of the fears I have right now is that we are moving into an area in which, instead of giving Americans options on how to live and how to produce and how to go forward with their lives, we are starting to tell them how to live their lives, because the government is the one that is going to be picking winners and losers.

We are going to be talking about energy. We are going to be talking about cap-and-trade tonight, the implications of cap-and-trade and the tax policies of cap-and-trade, with the idea that what we should be trying to do, as a government, is giving people choices and options to let them choose how they live rather than having the government be the one to pick out who is going to win, who is going to lose and how we will proceed.

□ 1730

I've been joined by several of my friends here tonight. I appreciate their service to this Nation as a Member of Congress. I'd like to turn some time over to the gentleman from Georgia (Mr. BROWN) who is on the floor right now, even though his committee is still meeting in a markup. But I'd like him to have the opportunity of taking as much time as he wishes to consume so he can get back to his other work, which is trying to keep the Science Committee on the right track in their particular markup.

Mr. BROWN.

Mr. BROWN of Georgia. I thank my good friend, Mr. BISHOP from Utah, for yielding.

Mr. Speaker, I rise today in very strong opposition to the Waxman-Markey cap-and-tax boondoggle. That's what it is. It's a boondoggle. This energy tax is the largest tax increase in American history, an estimate of al-

most \$2 trillion tax increase. It will probably cost every family, it's estimated to cost every single family, rich, poor and in between, over \$3,100 for every family in additional energy costs and will drive millions of good-paying American jobs overseas.

In fact, I have several plants in my district in northeast Georgia that have told me that, if this onerous bill passes, they'll have to lock the door. And those manufacturing jobs will go overseas because they cannot afford to pay this high energy tax. It will devastate their business, and we'll lose jobs.

This is an outrageous tax on every family that drives a car, who buys American products, or even flips on their light switch when they come home. So that means you, it means every single family in this country is going to pay over \$3,100 per family for this increased energy tax.

Senior citizens, the poor, the unemployed will be hit hardest by this tax increase, as experts agree that they spend a greater proportion of what money that they have, their income, on energy consumption and on products that have high energy consumption and, thus, will have higher costs for those goods and services. In fact, it's going to raise the cost of every single product, every single service in this country, because of this outrageous energy tax.

This is a time when we should be promoting policies that stimulate our economy and not tear it down. Various studies suggest that as many as 7 million jobs will be lost. In fact, our President has held forth as a paradigm the country of Spain that put in an energy tax similar to this one and about the green jobs that were created there.

We just talked to a man who serves in their legislature in Spain, and for every single green job produced in Spain, they lost 2.2 additional jobs. So they had a net loss of 1.2 jobs for every job that was created.

It's not right. It's not in the best interest of our Nation. Make no mistake that the Democrats' airtight tax-and-cap will suffocate America's small business, and it will strangle America's respiratory system, the free enterprise system.

My colleagues on the other side of the aisle will claim that that tax-and-cap will help clean up the environment. However, this doesn't seem like it's even about the environment or about global warming anymore. This has turned into a revenue generator, a revenue generator for NANCY PELOSI and HARRY REID, for their radical agenda that includes socialized medicine. And, in fact, the President said, if we don't pass this, that he's not going to have the funds to force this socialized medicine system that he's proposing down the throats of the American people. It's a socialized medicine system that's going to take your health decisions from you and your doctor and put it in the hands of Washington bureaucrats.

That's why they want this tax-and-cap, as I call it, bill passed, so that they can afford, have the money to grow this huge socialized health care system that's going to destroy the quality of health care.

Fortunately, Republicans have offered an alternative, an alternative to this unaffordable energy tax. We believe you can clean up the environment. We can clean up the environment. We must be good stewards of the environment. We can clean up the environment. We can keep jobs and keep money in peoples' pockets all at the same time.

Our solutions include American energy, American energy produced by American workers to create American jobs. Our all-of-the-above energy plan brings us closer to energy independence, which is critical for our own national security. It encourages greater efficiency. It encourages conservation. It promotes the use of alternative fuels, and it will lower gasoline prices. Lower gasoline prices.

This cap-and-tax bill isn't the only disguise we've seen here lately. In the last hundred-plus days we've seen the following: We've seen a nonstimulus stimulus package. We've seen secretive bills in what was supposed to be an open and transparent Congress, and we've seen bigger government creating trillion dollar commitments versus fiscal responsibility. In fact, what we have seen is downright fiscal irresponsibility.

So far this year, Washington Democrats have forced taxpayers to pay for the following: A \$1 trillion stimulus spending bill; a nonstimulus bill that, in spite of the administration's repeated attempts to spin it in a positive light, is riddled with waste and inefficiency on projects such as a skateboard park in Rhode Island, a new auxiliary runway at Representative John Murtha's airport for no one. It's even worse than the bridge to nowhere, an airport for no one in Pennsylvania. And even checks have been sent to deceased people who've been deceased for many years in Maryland, and who knows wherever else in this country those checks have been sent.

We've seen a 400-plus billion dollar omnibus bill, a spending bill loaded with more than 9,000 unscrutinized earmarks. We've seen a budget that adds a staggering \$13 trillion to the debt. It doubles our national debt over the next 5 years and triples it over the next 10. Triples our debt. Who's going to pay for that? It's stealing our grandchildren's future because they're going to have to pick up the bill.

We've seen a \$50 billion check written in financial aid to General Motors, which seems to have only brought a bankruptcy filing. And it's only June the 3rd.

The sad fact is that this administration has added more debt than every single President combined, from George Washington all the way through George W. Bush. We hear it

here on the floor all the time that our financial problems were caused by George Bush, but we've created, we're creating, more debt in the next 5 years, listen, people, more debt in the next 5 years than every single President from George Washington through George W. Bush all combined created. This eclipsed, in less than 5 months, what it's taken more than 230 years to establish. And now they're calling for the largest tax increase in American history.

Enough is enough. I urge the American people to stand up and say "no." No more of these policies that will create more and more debt and will actually bring down our economy even worse than it is today. And it will steal our children's and grandchildren's future.

We must say "no" to our Representatives and Senators in this Congress to oppose the Waxman-Markey cap-and-tax or, as I call it, tax-and-cap legislation, and we need to begin to return to some fiscal responsibility here in Washington, D.C.

Republicans have offered, over and over again, multiple alternatives, multiple alternatives, but the Speaker has been an obstructionist. She's obstructed every effort to get to this floor the proposals that the Republicans have brought. She's blocked every effort that we have had for all of these proposals to stimulate our economy, to solve our energy crisis, to put America back on the right track economically, to solve the housing crisis in America.

We've proposed solutions, common-sense, market-based solutions that would not have cost American jobs, would not increase taxes, would not have stolen our grandchildren's future. And the American people need to stand up and say "yes" to all these other proposals, and say "no" to Waxman-Markey, "no" to the course that this administration and the leadership in this House and over in the Senate are taking us, because it's going to bring financial ruin to America if we don't.

So it's up to the American people to say "no" to your Congressman, say "no" to your two U.S. Senators to this tax-and-trade or cap-and-tax or tax-and-cap legislation that's going to ruin America, cost American jobs, and it's going to be a tremendous financial burden on you and your family. So say "no" and resist this as we are here on the Republican side in the U.S. House of Representatives.

I thank my colleague for yielding, and I applaud all your efforts to bring forth our proposals to the American public, the proposals that make sense economically. And I thank you, Mr. BISHOP. You're doing a great job, and I applaud that.

Mr. BISHOP of Utah. Well, I appreciate the gentleman from Georgia being able to join us in the middle of his committee markup, and I appreciate him being here and talking about simply some of the major problems

that would take place with this overall system that may be here. It's one of the reality checks that we have to deal with is why, indeed, are we going to do this kind of an approach.

I happen to think that one of the reasons why we're marching down this path right now, so rapidly marching down this path, is simply because the government promised to do something, and the something that they decided to do is a cap-and-trade or cap-and-tax policy, which simply means to put government pressure on the business community to try and lower their amount of CO₂ emissions by putting, insisting they put economic pressure on them so that right now, to try and get those caps exceeded, they have to buy some kind of credit, and then put the economic pressure on them to change over to a new way of doing business.

Both of those costs, both the cost of buying the cap-and-trade process right now as well as the change, will be passed on to the consumer. So the consumer basically gets hit both ways, two times, once going and once coming in this process at the same time; because the consumer basically has, all of our life is surrounded in some way by a fossil fuel economy, and the consumer, therefore, has to have a life change at the same time the business is having a life change.

Now, I don't care how you want to try and spin this, as a new way of living or whatever it is, this is going to be the opportunity to change lifestyles based on bureaucratic decisions. And it will be, as the gentleman from Georgia just said, a concept of a tax on people. For the rich amongst us, this new tax is going to be an annoyance. For poor people, where 50 percent of their income has to go to energy choices, this tax is going to be the difference between being able to have a luxury like Hamburger Helper that night. This is not going to be fairly distributed throughout society.

In fact, you'll notice, I think the gentleman from Ohio is here to talk to us in just a moment, and his area is going to be even more severely hit than some of the other parts of this country.

And what it will be, though, is a windfall profit tax for the government. As the gentleman from Georgia said, this 400-plus billion dollars we're talking about does not go into improving our lifestyle or does not go into coming up with alternative energy sources. It goes to the government, pure and simple.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. BISHOP of Utah. Sure, be happy to.

Mr. BROUN of Georgia. I just want to bring out a point that you were talking about what it's going to do. Let me tell you something that it won't do, and you may want to talk about this, too. It's not going to solve the global warming problem. In fact, they don't talk about global warming here in America anymore in the government. They talk

about climate change. And why? The reason they don't talk about global warming anymore is because we've had global cooling for almost a decade now, global cooling.

□ 1745

And the experts say that if we marginally reduce the carbon emissions like this bill proposes, it's going to be less than one degree of improvement in the global temperatures. In fact, it's only a smidgen of the total carbon put out throughout history that we're going to be affecting. So it's not going to accomplish the thing that they're trying to sell it on, and that's affecting climate change. It's all about getting more money, more money for a socialistic government that's going to control people's lives. And that's what it's all about. The socialized medicine and care for this steamroller of socialism that they're trying to shove down the throats of the American people, and we've got to stop it.

Mr. BISHOP of Utah. I appreciate the comments of the gentleman from Georgia as well. I want to concur in the last part of what he did say very clearly that this is going to be a tax, it's going to be a windfall for money for the government, not necessarily to go back into this issue but for the government.

The Washington Post simply said that the proposals will require a wholesale transformation in the Nation's economy and society. One of our former colleagues who is now in the Senate, he said, cap-and-trade is the most significant proposal of our time. Friends of the Earth published way back in 2007, The concept of a climate change response must have at its heart a redistribution of wealth and resources. Alan Greenspan said cap-and-trade systems, or carbon taxes, are likely to be popular only until real people lose real jobs as their consequence.

There is no effective way to meaningfully reduce emissions without negatively impacting a large part of our economy.

Now, there's a couple of reality checks that I want to deal with today. And I'm joined by two of my good colleagues, one, the gentleman from Ohio, and also the gentleman from Louisiana, who are going to talk about some of the problems that we presently have; and especially the gentleman from Ohio because his area is going to be hit perhaps as hard as anyone in this unfair distribution of income. It's going to be a byproduct of this approach.

With that, Mr. Speaker, I will be glad to yield as much time as he may consume to the gentleman from Ohio who can tell us what's going to be happening in his backyard.

Mr. LATTA. I appreciate the gentleman for yielding.

Ohio and Indiana are going to be especially hard hit under the cap-and-tax, cap-and-trade system. I think it's important to start off with what the President said last year, Under my

plan of cap-and-trade system, electricity rates would necessarily skyrocket. That will cost money. They will pass that money on to the consumers.

And I tell you, my friend, that's what scares me. As the gentleman from Utah was just saying, pointing out the amount of money that's going to be collected under the system is absolutely scary.

Ohio, Indiana. I would like to point a few of these out.

I represent in Ohio the 5th Congressional District, the largest manufacturing district in the State, also the largest agricultural district in the State of Ohio. And when we're talking about cap-and-trade, cap-and-tax back home, it has businesses and farmers scared. Why is that?

The Heritage Foundation, not too long ago, put together what they call this manufacturing vulnerability index. It takes how many manufacturing jobs that you have in your district and also with the type of energy mostly that your State uses—in our case, and also if you look at Indiana, Ohio is at 87.2 percent coal while Indiana is at 94.2 percent coal.

The problem with it, as you see, we have a very high vulnerability. When you take these numbers and go across—a lot of times when you were in school you wanted to be at the top, when you were playing sports you wanted to be at the top. This is one chart you don't want to be at the top of. The Ohio 5th Congressional District ranks number three in the most vulnerable districts in the State of Ohio when it comes under the cap-and-tax, cap-and-trade notion.

What's happening right now? We've been in a tough recession. Again, being the largest manufacturing district in the State of Ohio, we're suffering. And fortunately when the announcements were made from General Motors yesterday, we did not lose our General Motors plant, but just nearby in the 4th Congressional District, they are going to be closing. But a lot of my people work in those plants.

So what does this mean? One of my counties right now, which is right in the corner of Indiana, Michigan and Ohio, it's the highest unemployment rate in the State of Ohio. Williams County. Over 16 percent. You have hardworking men and women up there that want to go to a job every day; but because of this recession that we're in, they're not getting to a job.

What we gotta do is we've got to get these people back to work. But the thing is—that's already been mentioned by my friend in Georgia—it's going to be very difficult to retain, expand and create new jobs if we're in a situation where we're not going to be able to compete around the world. How is that?

If you look at these numbers right here with Indiana and Ohio, if you tip this down to the 20th Congressional District that's going to be hit by cap-

and-tax, 16 of those districts are from Ohio and Indiana. It's not very enviable when Indiana and Ohio split eight each in the vulnerability of our jobs into the future under cap-and-tax. And it's going to be very difficult for businesses to survive.

Every week when I get home, I try to be in my district at a plant or in a business. And not too long ago, I was in another factory—and these factories are all pretty much holding on to what they got. It might be that they're not able to go out there and keep people employed. So a lot of them are doing, you know, if we cut back and cut back the number of hours people are working, if management takes a cut, if they try to do anything in-house and not do any contracting out, what happens is they're trying to hold on to the jobs they got.

However, there are a lot of factories in my district that are working 5, 6 days a week. Now they've got people working four 10-hour-shift days. The problem with that is people aren't working overtime. They're not getting money to put in the bank. They're not getting more money out there because—in my district I have the largest washing machine plant in the world. In a good year, they're producing over 6 million washing machines. We can produce anything in northwest, north central Ohio when it comes on the automotive side. But, again, these companies are hurting.

You have got companies out there that supply the auto plants and if you're in tier 2 or tier 3, you're in trouble. They say, Well, it's going to be rationalized—I think the term was down the street—that we're going to have to rationalize what's going to happen to these. A good term for that is "you're out of business." Where are these people going to go? We've got a domino effect that's going to be happening. But this domino effect is going to be happening more rapidly if these companies cannot afford power.

Again, in Ohio, 87.2 percent of our power is coal generated. Indiana, again, is 94.2. So we can't have that going on because when we're talking about these numbers, we're talking about a catastrophe in the making.

I just wanted to show this chart. Again, this is the top eight districts in the State of Ohio. They're going to be affected by cap-and-tax. I would like to show you the bottom eight.

Well, as we start down the list, that being as least affected with a manufacturing vulnerability index ranking of only 3.2 percent is Mr. WAXMAN's district. When you go down to Speaker PELOSI's district it only gets down to a 2.2. And, again, we're talking about Ohio and Indiana, districts in the 100 percent, the 98 percent range.

Out in California they're using a lot of nuclear; they're using a lot of natural gas. So these areas in the country aren't going to be hit.

People say, back home, BOB, who's asking for this? We're in a catastrophe

here in the Midwest. Who's asking for this?

If you look at a map, go from California to Oregon to Washington, you know these are very low vulnerability with these States. You go from the east coast, very low vulnerability. Not a lot of manufacturing, not a lot of coal.

So when you look at this, who's getting hit the hardest? The Midwest. Those States that are the industrial heartland of America, those men and women who get up every day, pack that lunch box and get to work are the ones that are going to be affected.

And as the gentleman mentioned from Georgia, what's going to happen?

Well, if we can't manufacture cheaply in the United States and compete against the rest of the world—and the rest of the world today is China, India and that area—what are they going to be doing about it? There is some talk around here and at the White House. We're going to go over and talk to the Chinese and say we would like you to cap your emissions. That's what all of this is about, capping carbon emissions. There is not one person in this Chamber that would say that they want to have pollution. But we have to manufacture in a way that can be done that we can compete. When you're looking at these numbers, it's going to hurt the Midwest.

But what happened when the Chinese were questioned about the whole notion of what are we going to do about cap-and-tax, especially when it comes to China? China's philosophy is this—and it was a quote that was in the Washington Times not too long ago. Their minister said this: You don't understand the problem. We only produce it. You consume it. If you hadn't consumed it, we wouldn't have produced it. So you pay any of the tax that might come from this.

They don't want to get involved in it. They are not going to get involved in it. So what we're putting around the legs of the manufacturing in the United States is a ball and chain. We're saying, Okay, we're going to throw you in a hundred feet of water and you better start swimming somehow. That's what this Congress is advocating, and it can't be done because America cannot compete under those standards.

We have got to be on an equal playing field with the rest of the world. If we don't have that, we're going to be in a situation where American jobs are going to be lost to overseas.

I said about my district, I have some of the highest unemployment in the State of Ohio. Again, high manufacturing, and we cannot afford to be in a situation where we have this type of situation where we're going to be hurting the heartland of America under this policy. And as I mentioned, we've got businesses out there hanging on by their fingertips and all we've got to do is put this chain around them and they're not going to be able to survive into the future.

A lot of things are being advocated when you're talking about carbon capture and sequestration. That technology, in a lot of cases, is not even available and it's untested. And we're telling businesses we're going to have to be doing some of this into the future. Impossible.

Businesses out there, they're going to say, How are we going to do this? Some of the businesses out there that are owned by multinationals across Ohio and the Midwest—you know, I've had some companies tell me, We don't have to be in Ohio. We don't have to be in the United States. We can go over to our Pacific Rim countries and produce the product and bring it back to the United States probably at a cheaper rate than you can do it right here in the United States. And they're saying that, but they want to stay here; but if we do this, if this cap-and-tax gets passed, America is going to suffer, America is going to lose jobs.

And when you look at some of these numbers that the Heritage Foundation has brought forward, they're looking at by the year 2035, it's reducing the aggregate gross domestic product by \$9.6 trillion. Destroy 1.1 million jobs per year on average with the peak years seeing unemployment rise by over 2.479 million jobs.

Again, as has been mentioned by my friend in Georgia, increasing the average American cost of living by 2035, \$4,300. Where are Americans going to come up with this money?

If you are getting cut back on your hours right now at your plant, you're not going to have additional dollars, and then we're going to have the Federal Government mandating these things. There are not going to be any Federal dollars.

Raising electricity rates by 90 percent. Again, when you look at this vulnerability, you look at the Midwest. You look at the companies that are out there that have to have that base load capacity every day to turn those machines on to keep America running. They are not going to be able to do it. Pass this bill and that's what you're going to get.

We're going to see gasoline prices rise by 74 percent. Right now, you're looking at gas increasing. It was really nice for a while there this past year when we were looking at about \$1.63 gasoline in northwest Ohio. Well, the other day when I got gas before I came back to Washington, it was \$2.52. And people were saying to me at those gas pumps, When is it going to stop?

I say, if you pass this bill, you're going to watch gasoline prices skyrocket. Eighty percent of everything that is brought into Ohio in goods is brought in by truck. So, again, those prices are going to go up.

Agricultural prices are going to go up because the fuel that's needed to make the fertilizer, the fuel for the tractors to make sure that you can harvest, all of these things are going to go up. The drying of the grain. All prices are going

up. Again, when these numbers that they're talking about how can you come up with \$4,300, when you look at your electricity, your gasoline—you go right down the line—the food you put on the table, these prices are going to go up.

Raise residential national gas prices by 55 percent. And then increase the inflation-adjusted Federal debt by 26 percent or \$29,150 additional Federal debt per person again after adjusting for inflation.

□ 1800

We can't afford this. We cannot afford this, and we can't have this happen.

But my friends let me tell you, there's not one person that's not for clean energy, and here the Americans want something, and the Republican Party has come up in this House with a strategy.

And last week during the break, several of us were in Pittsburgh and Indiana and California stressing the need to make sure that we have this nuclear being stressed. There's a nuclear power plant in California that supplies 10 percent of that State's needs, and the last time we've even been able to site a new plant in this country was 1977.

So we can do it in this country by just having what we've got, by making sure we use our clean coal technology, to use nuclear. Get out there, get the oil, the natural gas, we use the hydro, the geothermal, and then of course on all the others. We have the wind, the solar, the ethanol, the biodiesel. We can do it, but we've got to have an all-of-the-above policy, but we cannot go with this cap-and-tax because, again, it's a jobs killer for America, and I thank the gentleman for yielding.

Mr. BISHOP of Utah. I appreciate the gentleman from Ohio for talking about some of the realities that happen to be there. I hate to say this, but sometimes we need to make a reality check on this entire issue of what the goal is. When we are told the goal is to have an 80 percent reduction in CO₂ by the year 2050, what does that really mean for us?

In my own State of Utah, we have a yearly output of approximately 66 million tons of CO₂ per year and a population of 2.6 million. Now, if you simply do the math, to reach that goal that everyone says we have to reach, we would have to go down to 2.2-tons of CO₂ emitted every year in the State of Utah. The last time that happened, I hate to admit this, but Brigham Young hadn't even arrived. If you want to do the kind of math that it takes to reach that goal in the United States, the Pilgrims weren't here yet on Plymouth Rock.

One of the things that we have to reconcile is that, look, there are 6.2 billion people in the world. Two billion of those people have never flipped on a switch because they have never had electricity. To reach the kind of goals that we're talking about here, we have to insist that those 2 billion people

never have to experience things like lights and flat screen TVs and computers that we all take for granted and live with; that they don't have to have adequate food free of bugs because, I'm sorry, the fertilizer is fossil fuels; and they don't have to have clothes which are made of fossil fuels. My pen is a fossil fuel. Everything in the emergency room except for the steel is a fossil fuel. We make composites for aircraft to make them lighter and more efficient right now. You get on plane; you are riding on gas. All those things are there, and we have this schizophrenic idea that we want to get rid of fossil fuels, at the same time it is our lifestyle, without recognizing what it is.

Back in the 1970s, we had a specific term in there and that's when we came up with the idea that these are alternative fuels. What we really should be saying is they are supplemental fuels, because I hate to say this, but one-sixth of one percent of the energy we use today comes from wind and solar. If you try to do a PowerPoint presentation of a pie chart, all you get is a little thin line because it can't get smaller than that little thin line.

And after 30 years and \$20 billion of the United States Government trying to expand wind and solar, we are still at one-sixth of one percent. The President wants to double that, which I applaud him for. Actually, the last 3 years of the Bush administration, we doubled the amount of wind and solar power we were using, but all that does is take us from one-sixth of 1 percent down to one-third of 1 percent. So that line is only a little bit wider.

Now, if you have a coal or a gas-fired power plant that puts out 1,000 megawatts of power, it takes about 40 acres of ground to do that, 40 acres. To accomplish that same power output with wind, you would take 500 windmills that would require 30,000 acres to accomplish that. The Denver Post had this wonderful article about this great solar plant in an area in Denver that was putting out 8.2 million megawatts. To accomplish what that one coal-fired plant would put out, you would have to have 250 of those miracle plants covering 20,000 acres.

In my home State we have a new geotherm plant, which is great, puts out 14 million megawatts of power. We take 10- to 20,000 every year just to keep up with the grid.

So what we have to do as we're talking about all these issues is come up with some kind of realism that the bottom line is the wind does not always blow and the sun doesn't always shine, and we have yet to come up with a way of capturing wind and solar power, let alone the capacity for moving those. We have a reality check before we go marching down this path of where we're going.

I want the gentleman from Louisiana who is here, who has been involved in these issues, has signed one of the early bills that deals with one of the

potential solutions to this, especially to talk about some other options out there because what we, once again, need to do is we have to be able to give the American people choices and options, not have the Federal Government telling them what to do.

So I yield to the gentleman from Louisiana.

Mr. FLEMING. I thank the gentleman from Utah, and I, too, feel very privileged, Mr. Speaker, to have been a cosponsor on the no-cost stimulus energy plan that my friend from Utah was also a sponsor of, and it would have provided tremendous utilization of the potential energy we have, but of course, it never made it to the floor.

As a good segue into really what I want to talk about is my local district, I just want to reiterate what we discussed this evening, and we also talked about it last night, that this cap-and-tax program has been tried before. We've been 10 years down this pathway with Spain. Representatives from Spain came and spoke with us about this, and they said that the net of all that has been is they've lost companies, they've lost jobs, their unemployment rate is now 17.5 percent, and their energy costs are skyrocketing, which of course prophetically even our own President, President Obama, made the comment in January 2008 that utility costs, electrical costs, home costs of energy will skyrocket if this bill is passed.

What I want to talk about for a moment, Mr. Speaker, is the Haynesville shale. I'm from the fourth district of Louisiana. This is the northwestern corner of Louisiana, and 3 years ago no one had ever heard of the Haynesville shale. In fact, the whole idea of shale formation, that is, a rock formation that holds like a porous sponge deposits of natural gas, something that was barely heard of even 4 years ago, and today, we're finding that in the case of the Haynesville shale, it is perhaps the largest natural gas find in this hemisphere.

And hopefully, the camera will pick this map up, but you see the area, and it borders, of course, several parishes in Louisiana and then also counties in Texas. As you can see, it covers a wide swath of area, and so this represents a tremendous opportunity for the State of Louisiana and also parts of the State of Texas.

So I just want to tell you something about the impact. We're talking about 234 trillion cubic feet of natural gas production potential. This could be a source of energy for many years to come for this country, and remember that natural gas is a very clean form of fossil fuel. It produces significantly less carbon dioxide than say coal, and yet there's forces out there that would like to stop the drilling for natural gas in the Haynesville shale. We're even going to have hearings tomorrow talking about the manufacturing process and potentially issues having to do with the environment with that. But

let me tell you about what we also can lose if we lose the ability to extract natural gas just in my district.

A 2008 study was done, and it showed that \$4.5 billion was pumped into the Louisiana economy in that year. It created \$3.9 billion in household earnings. The greatest impact on indirect household earnings was experienced by workers in the mining sector, with new household earnings of \$193 million in 2008. It created over \$30 million in new earnings in separate sectors; \$56.7 million in health care; management, \$46 million. On and on and on, many millions of dollars. It's creating cash into the local economy in my district. And as a result of this, our unemployment rate is much lower than that of the east of the country, and our economy's doing very well. Real estate is doing very well. On that, we've created many jobs. Large impacts were felt with 5,229 jobs in the utility sector; health care, 3,496 jobs.

Conservative estimates report that State and local tax revenues increased by \$153.3 million in 2008. Some parishes reported a 300 percent increase in sales tax.

So as you can see, Mr. Speaker, the Haynesville shale is just starting, and yet it is creating a tremendous impact on the economy of my district. So, if we continue down this cap-and-tax road, not only are we going to lose what we have but potentially lose what we're going to have.

In the 2010 budget of President Obama on this same subject, we're looking at a potential loss of \$80 billion in tax incentives for oil and natural gas businesses, and this impacts small companies. The majority of oil and gas companies in my district are small companies. They're mom-and-pop businesses, and that is the backbone of our economy. We're not talking about Shell Oil. We're not talking about Exxon. We're talking about local, Joe Smith kinds of businesses.

Independent oilmen and women in northeast Louisiana rely on these incentives to reinvest their capital in these companies. This is caused by the loss of depletion allowance and the writeoff of intangible drilling costs. It will also broaden our dependence for foreign oil; of course, the thing that we used to talk about when gas was \$4 a gallon and soon we're going to be talking about that again.

Well, in closing, I just want to say, Mr. Speaker, that we cannot tax and spend our way out of growing our economy. In a time of recession, the best way to encourage an economic turnaround is to preserve jobs. The State, instead of flowing money into the economy, as we've tried with this stimulus plan, which, estimates are, only 6 percent of the money is even in the economy, we may actually be pulling out of this recession as we speak.

Without the development of natural gas plays like the Haynesville shale, without increased exploration in ANWR, the Outer Continental Shelf,

without the tax incentives that I just mentioned, without these things we're going to see our economy, even if it put pulls out of this, level off.

We can have our cake and eat it, too, Mr. Speaker. We don't have to destroy our economy and clean up our environment at the same time. We can be good, responsible tenders of our environment. We can be good stewards of our environment without destroying our economy in the process.

Someday perhaps we will be able to use some of these technologies. Perhaps we can use solar, maybe wind, but at this point, my friend from Utah says it's 1.6 percent of production, and we're going to have a lot of breakthroughs to make it go much higher than that. But until that time, there's a lot we can do with the technologies we have, technologies that are coming online, and that's not even mentioning nuclear power which many countries, particularly in Europe, are way ahead of us on.

But we can do a lot to solve our problems without throwing our economy into the dumpster, as Spain has.

So with that I want to thank my friend from Utah for his time, his many great efforts with this. I appreciate his leadership on this subject.

Mr. BISHOP of Utah. I appreciate very much the gentleman from Louisiana joining us and talking about other kinds of options that are out there for the American people. The reality has always been that reliable and affordable energy has been the great liberator of mankind. It has improved our lifestyle. It has allowed those who are poor to escape that kind of poverty.

One of the things we cannot do is allow us to restrain ourselves so that that does not happen. As we said before, if you're rich, all this stuff could be an annoyance. If you're poor, it's a life-and-death decision, and as one wag simply said, never underestimate the ability of Congress to offer nonsolutions to problems that may or may not exist. We may be looking at that right now, but I appreciate especially the fact that there are other options out there that need to be explored because this is not the only answer and the only solution.

With that, I'd like to yield to our good friend from Indiana who has spoken often on these particular topics and these issues, in fact, is organizing an effort to explore other options that America needs and recently took those conversations on the road to actually hear from Americans. I yield to the gentleman from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, I come before this Chamber today at a time when millions of American families are hurting. I just spent time home in Indiana, heard from small business owners and family farmers that are struggling to make it

through these difficult times. And they know, and I heard not only in Indiana but in Pennsylvania and in California as House Republicans traveled this Nation to take our case against the Democrats cap-and-trade proposal.

□ 1815

I heard from those Americans one simple message, and that is: The last thing we should do during a difficult recession is pass a national energy tax on every working family, small business owner, and family farm in this country. But, Mr. Speaker, that's precisely what the House Democrats are preparing to do.

Just before the break, virtually along party lines, House Democrats reported out of their committee the so-called cap-and-trade legislation, which is better understood as a cap-and-tax legislation. My colleague, FRED UPTON from Michigan, says it will cap growth and trade jobs. And the truth is it will have just that effect.

According to a study done by MIT, divided by the number of households in this country, if the Democrats' cap-and-trade legislation becomes law, the energy costs of the average American household would rise by more than \$3,000 per year. According to some independent estimates as well, if their legislation became law, various studies suggest 1.8 million to 7 million jobs could be lost in this country.

Why on Earth, at a time when this Congress ought to be coming together with bipartisan solutions to bring relief to small business owners, to American manufacturing, a time when we see the government reaching deeper and deeper into our financial sector, offering one bailout after another to one business after another, why on Earth would we heap more weight on the backs of Americans and on the back of this American economy in the form of a national energy tax?

But I rise today, Mr. Speaker, to say with authority that's precisely what Democrats are planning to do.

I pull out a device that helps me keep up with the news here. And I will quote, for the sake of attribution, a story published this afternoon at about 5 o'clock in Roll Call, because as we returned to Washington, D.C., there was a great deal of talk, Mr. Speaker, that we were moving on to health care reform for the summer. The majority in Congress wasn't talking any more about a national energy tax. They weren't talking any more about cap-and-trade. The focus was health care. The President of the United States gave a speech saying that it's a time for health care reform, and that should be the focus.

But I have got to tell you, I used to play a little bit of basketball back in Indiana. There was something called a head fake. You know, when you got the ball and you want to go this way, you put your head that way and you make the guy follow, and then you go this way.

I had this feeling it was a bit of a head fake, that in fact liberals here in Washington, D.C., were not going to relent in their drive to pass a national energy tax and the cap-and-trade legislation. And it turns out, according to Roll Call, I might just be right.

An article filed by Steven Dennis of the Roll Call staff reports that, "Speaker Nancy Pelosi is kick-starting the movement on the controversial climate change bill, setting a deadline of June 19 for committee action in the Ways and Means Committee."

The Speaker of the United States House of Representatives has told the chairman of the House Ways and Means Committee that they have until 2 weeks from this Friday, according to Roll Call, to have that bill out of committee. And it could very well be on the floor of this Congress before we break for the 4th of July.

So I think the American people have a right to know what's in this bill. They have a right to understand how this national energy tax, under the guise of climate change legislation, is going to result in an increase in their home utility costs, an increase in the costs of gasoline at the pump, an increase in the cost of virtually every good we buy, because of course energy is an input cost on virtually all the goods and services that we use in our daily lives. It's going to increase the cost of businesses. And I rise, of course, with a particular interest in this.

As we heard from the Governor of the State of Indiana, Mitch Daniels, last week, that because the cap-and-trade legislation essentially puts the heaviest burden on those States that draw the majority of their electricity from coal-burning power plants, the truth is that, rightly understood, this cap-and-trade legislation amounts to an economic declaration of war on the Midwest by liberals here in Washington, D.C., and it must be opposed.

I mean, in the State of Indiana, our households, when we flip the light switch, we draw about more than 90 percent of our electrical energy from coal-burning power plants. Very similar in Michigan, very similar in Ohio. That may well be why the Heritage Foundation recently estimated that States like Indiana and Ohio and Michigan will be the hardest hit States.

We had testimony last week from representatives of Richmond Power and Light in Richmond, Indiana. They testified at a public hearing that we held in my home State capital of Indianapolis, and they said that their utility rates in Richmond, Indiana, a city that I represent, their home utility rates would go up by 25 to 40 percent if cap-and-trade legislation became law.

We have got to come clean with the American people about the reality of this national energy tax. The American people have a right to know that this Democratic majority is preparing to pass legislation that will increase the cost of doing business, increase the

cost of their household budget, and they're preparing to do that in name of environmental priority and climate change legislation at precisely the time that American working families, small business owners, and family farmers can least afford it.

So I commend the gentleman from Utah. I commend him for his extraordinary and visionary leadership on issues involving energy. But I pledge this: That as chairman of the House Republican Conference, as one of those tasked with the American Energy Solutions Group on which my colleagues have the privilege of serving, we are going to make the fight in the weeks ahead against this national energy tax and, to the gentleman's point, we're going to offer a Republican alternative in the American Energy Act that will lessen our dependence on foreign oil, make a commitment to wind and solar and nuclear energy, make a commitment to new, cleaner technologies, more fuel efficiency. But it will not include a national energy tax that will drive this economy further down during these difficult days.

I yield back.

Mr. BISHOP of Utah. I appreciate the gentleman from Indiana giving us what I think is not necessarily bright news, but good news to realize that the cap-and-tax approach or the cap-and-trade policy is not the only one that's out there. There are other options.

The gentleman from Louisiana and I have joined with Senator VITTER on what is called the No Cost Stimulus Bill that solves this problem in a different approach. The Republican Study Committee and the Western Caucus have joined with H.R. 2300, which solves this problem with an alternative approach that provides American energy and American jobs without the harmful side effects.

I just went this afternoon to the National Center for Policy Analysis. They presented 10—they call it 10 cool global warming policies—but 10 specific ideas or concepts, many of them that we have incorporated in some of those other bills that would help our situation without having to impose a tax that hurts the poorest of our people.

Now I am pleased to yield to my good friend from Texas, someone who is, I think, the most fascinating speaker I have a chance to listen to, the last few minutes that we have on this particular issue at this time tonight to try and summarize once again that where we're going, hopefully we can avoid the pitfalls, and there are other options than what we have simply seen placed before us so far.

I yield as much time as he may consume to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. I appreciate your yielding. I don't think there's anybody who brings more clarity to the issues of energy than my friend from Utah, Mr. BISHOP. I sure do appreciate the clarity he brings.

But when we talk about this cap-and-tax-away-jobs bill that's apparently

going to be coming rather quickly upon us, you need to look at the reasons being given as to why we have to have this cap-and-tax-away-jobs bill, why we have got to get rid of more jobs, cost more Americans more money when they don't have it. And we're told it's because of the carbon dioxide out there and that it's creating global warming.

Well, have you noticed we're not calling it global warming anymore? Now we're calling it climate change. And you wonder why have they started calling it climate change. Well, you start looking at some of the scientific data that's coming out and they're realizing, you know what, this planet may be cooling instead of warming. It may be starting on a cooling cycle instead of warming.

So, since we have millions and millions and millions of dollars being made by scaring people about global warming, in case it is cooling, maybe we better change the name to climate change. That way we're going to keep the money coming in either way, because we're scaring people.

It's climate change, no matter which way it's going—warming, cooling. In fact, I saw an article that indicated, you know what, we have been saying that carbon dioxide is trapping the heat and warming the planet, but we may be wrong about that. It may be that the carbon dioxide is creating a shield and causing the Sun's rays to bounce off and, therefore, cooling the planet.

That way, they can have it either way. If it's warming the planet, then it's catastrophe and we need to pass all kinds of laws to tax people, put business out of the U.S., and go to other countries. And if it's cooling, we will have it that way, too. Keep the money flowing in.

In our Natural Resources Committee, we have talked about the polar bears. I have seen that deeply touching commercial where this mama bear with the cub, it looks like they're dying out there. Maybe they are. But what we have heard in our committee is that 20 years ago we know for sure there were less than 12,000 polar bears. And we know today, for sure, there are at least 25,000 polar bears in the world. They have more than doubled in 20 years.

But somebody is making a lot of money by telling people the polar bears are all dying, so give us money, take away American jobs, send them around the planet, and we will be better for it. Well, they will because they're going to have bigger houses. And I don't begrudge Al Gore having that wonderful house and using all that energy, but he just shouldn't make the middle class of America pay more for their energy and cause the loss of their jobs in the name of helping the planet. It doesn't help anybody but him and people like him that are out there scaring folks.

We have talked about the jobs that would be created in ANWR. You open ANWR, a million new jobs across America. You open the Outer Conti-

mental Shelf to drilling, another 1.1 million or 2 million jobs in America. The President can finally keep his promise; instead of losing more jobs, we'd have more jobs coming into America instead of going out.

That's why we don't need a cap-and-tax-away-jobs in America. We need to produce more of our own. And I mean everything. We're talking about wind. We're talking solar.

I have a bill for a prize for somebody that comes up with a way to store electrical energy in megawatt form for more than 30 days. Solar could be our answer to the future. But for right now, it's carbon-based energy. And it will keep jobs in America, bring them back.

But, for goodness sake, let's don't hurt the middle class in America any more than they're already being hurt.

I appreciate so much my friend from Utah. And with that, I will yield back to him.

Mr. BISHOP of Utah. I appreciate the gentleman from Texas. It is one of those things that we live in a new iPod generation in which in all our lives we are given options and choices. In this particular area, it is not the time for the government to now establish who wins, who loses, what is our only path.

We still have to provide our people with options so that they can live and expand their lives the way they deem best. That's the important part here.

I want to emphasize there are options out there on the table that the Republican Party is presenting. Those options need to be heard and explored because they lead us to a proper goal and an easier pattern.

With that, we yield back the balance of whatever time is left.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 626, FEDERAL EMPLOYEES PAID PARENTAL LEAVE ACT OF 2009

Mr. ARCURI (during the Special Order of Mr. BISHOP of Utah), from the Committee on Rules, submitted a privileged report (Rept. No. 111-133) on the resolution (H. Res. 501) providing for consideration of the bill (H.R. 626) to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. KISSELL). Under the Speaker's announced policy of January 6, 2009, the gentleman from Connecticut (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY of Connecticut. We are going to take the next 45 minutes to an hour, myself, Mr. KAGEN, Mr. LANGEVIN, and a few others that will likely join us over the course of the

hour, to talk about a subject that's on the minds of more and more Americans every day, and that is the issue of getting health care for all Americans.

President Obama was swept into office with a mandate to fix what has become an unjustifiably broken health care system here in this country. It costs way too much, outpacing all of our industrialized neighbors by almost twofold. It gets care that, compared to those same nations, ranks pitifully in the middle of the pack. And it has changed the very practice of medicine for far too many physicians who went into their profession for the love of treating people and making them better and now find themselves dedicating more and more of their time filling out paperwork, dealing with red tape, and arguing with insurance companies over whether or not they should get paid for their services.

□ 1830

We can make this health care system better for our society as a whole, for our government as a payer, for the patients who interact with it, and for the providers—the doctors and the nurses and practitioners—who perform miracles every day within that system despite the system.

There are a lot of people who enter this debate from various sides, and we're, frankly, not going to have over the course of this next hour unanimity of opinion on the exact solution to this crisis going forward. What you will hear over the next hour is a group of individuals on the Democratic side of the aisle who are committed not just to reform for reform's sake, not just to a—pardon the pun—Band-Aid fix, but to comprehensive health care reform. We're beyond making little incremental fixes here or there. We've got to strip this thing down and build it back up again. We've got to learn from our mistakes.

On the Democratic side of the aisle, we've heard the American people loud and clear whether it was at the ballot box last November when they voted for a President, a President who made it clear that health care reform and getting coverage to every American was going to be at the top of his priority list, or whether it's every weekend when we go home, when we talk to individuals who are facing the reality of an economy that leaves them one paycheck away, one pink slip away, from losing their health care forever. That number is going up. More and more Americans are afraid that their breadwinners may lose their jobs over the next 6 months to a year. They realize that what comes along with that is the risk of having their entire lives turned over. Half of the bankruptcies in this country are not due to irresponsible spending decisions or due to houses that they bought that cost too much or due to a couple too many plasma TVs in the basement.

No, it's medical costs. It's an unforeseen illness visited upon a family who

didn't have the resources to pay for it. Half of the bankruptcies in this country are due to people who got sick but who didn't have the means to pay for it. Half of the bankruptcies are due to the people who played by all of the rules and who did everything we asked them to do but who just got sick.

Now, in the richest country in the world, there is no justification for the fact that somebody who has the misfortune to be diagnosed with cancer or with an expensive illness has to lose everything—his house and his car—just because his fortune was a little bit different than someone else's fortune. There is no justification for the fact that millions of little kids in this country are going to bed, sick at night, just because their parents can't afford to get them to doctors. In this country, that can't be all right. People have come to the conclusion that this is the time—this year, right now, this summer, this fall—when we finally will wake up and will fix this thing for good.

You're going to hear from a lot of us as to our ideas on how we should address this crisis. We're going to talk today about the role of consumers in this debate, whereby we can make our health care customers better purchasers of health care if we give them the right information and so that we can empower them in a new, reformed health care market.

You're going to hear about the role of the Federal Government in this reform and, as part of that new purchasing power that we can give to individuals, that we can give them the option to buy the same health care that I have and that Mr. LANGEVIN may have and that others in this Chamber may have. I know Mr. KAGEN doesn't take the Federal employees' health care plan, but it doesn't seem like it's so revolutionary that we should not allow regular, everyday Americans to have the same kind of health care that Members of Congress have.

We're going to talk about the role of people to have choices between public insurance and private insurance. We're going to talk about reforming the way that medicine is practiced so that physicians can get back to spending their time with patients rather than with filling out paperwork and with hiring more and more people to argue over whether they will get paid or not.

We're going to talk about how we make this reform centered around improving quality. It still doesn't make sense that we spend 70 percent of our gross domestic product on health care, and yet we have infection rates, life expectancy numbers and infant mortality rates that should leave us pretty embarrassed given the amount of money that we're spending. So I'm excited to be here on the floor for the next hour or so to talk about these things.

I know Mr. LANGEVIN has joined us here on the floor. I would be thrilled to turn it over in just a second to Mr. KAGEN to give a couple of introductory

remarks, and then I will turn it over to Mr. LANGEVIN.

So I'm glad to have you join us here, Mr. KAGEN.

Mr. KAGEN. Thank you, Mr. MURPHY.

If you could raise up that sign one more time, it does say "Health Care for America." It doesn't say "health insurance." It says "health care," which is our focus. We care about the people we're listening to—the people we have the honor of representing. It is about making certain that people can get to see their doctors when they need to at prices they can afford to pay. I'll share with you some of the stories that, perhaps, President Obama is going to hear when he comes to Green Bay, Wisconsin, on the 11th of June, just a few days from now.

Here is someone from Green Bay who wrote to me. Her name is Stephanie: "Insurance is number one on my list. My current employer can't afford to give us health insurance, and I can't get individual coverage. Help, please."

President Obama might hear from Jim, who is also from Green Bay: "Every human should have health care. Don't have insurance. 60 years old." He is between the cracks. He is not old enough for Medicare, and he is not poor enough for welfare or for Medicaid.

In Sturgeon Bay, just outside of Green Bay, I got a card from Rhonda: "Our middle class income cannot support the increase in medical premiums, copays and deductibles. What will be done for the middle class?" She is Rhonda in Sturgeon Bay.

People are writing to their legislators, not just in the Federal House here in Washington but across the State houses. Every government at every level understands the pressure and that the cost for health care has risen astronomically. It is 17 percent of our GDP. It is that investment that we make in ourselves to guarantee that we have health. If you don't have your health, you may not have anything.

Now, recently, I received a mailing from an insurance company that is in my district. It's a great company. I just want to read this into the RECORD because, if you have certain preexisting conditions, all the marketing in the world won't allow you to purchase their product, because they don't insure people with preexisting conditions:

"Important information about pre-existing conditions: Although we make every effort to extend coverage to all applicants, not everyone will qualify. If you have had treatment for any of the following conditions, you may not qualify for the coverage being offered." It reads: "HIV/AIDS, alcohol, drug dependence, cancer, chronic obstructive pulmonary disease, connective tissue disease, Crohn's disease, diabetes, emphysema, heart attack, stroke, hepatitis, inpatient emotional and mental health care, organ or tissue transplant, ulcerative colitis."

It goes on to conclude: "You should also be aware that we may not be able

to provide coverage to individuals who are severely obese, who are severely underweight or who are undergoing or who are awaiting results of diagnostic tests. We cannot offer coverage to expectant parents or to children less than 2 months old." Finally, it reads: "This list is not all-inclusive. Other conditions may apply."

I don't think it was a doctor who wrote this policy. I think it was someone who had his economic interests in mind and not the care of the people who are looking for the coverage they need in order to guarantee they get the care that they're going to require.

We are prepared in this Congress, I believe on both sides of the aisle, to step up and to face and to confront this essential economic fiscal problem. It's not just about your money. It's about your life. This, after all, is the House of Representatives. Some people back home in Wisconsin think that we're trying to talk them out of their money and out of their lives.

Tonight we're going to have a conversation with one another and with the American people about what is most important to you, and that is your health care. I'm hoping that, someday soon, we're going to come to a time when we'll have all prices openly disclosed everywhere in these United States for all of the products.

Mr. MURPHY, last week when I was home, I had a "Congress on your Corner" at a grocery store in Waupaca, Wisconsin. While there, I didn't get a headache, but if I had had a headache and had wanted to buy some aspirin—I took a picture of this. Now, some of my staff here in Washington think this is pretty cheap. You know, you can get Bayer's cherry- or orange-flavored aspirin for \$2.55. Right there in the middle, you can buy a generic brand for \$2.05, which is 20 percent less. What do you want to pay: more or less? It's the same medication. This price is openly disclosed.

I think we have to have this type of health care available, not just at the grocery store for aspirin products but at the hospitals and at the doctors' offices and everywhere in health care across the country, most particularly for health insurance policies. If at the end of the day we're going to continue to allow companies to be in the marketplace, like the offering I just read to you, I believe very strongly they should be compelled to sell the same product to any willing customer with no discrimination due to preexisting medical conditions.

If, after all, we have Federal standards in this country for almost everything, why don't we have the standard of a comprehensive health insurance coverage plan that each and every insurance company must offer to any citizen or legal resident anywhere in these United States?

There is nothing wrong with having standards so long as we can meet those standards. So I think these are some of the issues that are important, one of

which is transparency in health care purchases. We have to have no discrimination anywhere in health care. I think the President has accepted this as one of his most essential elements, as one of his eight principles for health care.

One should not suffer in this country due to discrimination based on the color of one's skin. Well, what about the chemistry of one's skin? If we're not allowed to discriminate against anyone because of what they're thinking, what about how they're thinking? What about the chemistry of their minds?

So I think it's time that we apply our civil rights that guarantee no discrimination to health care. When we do, we'll begin to guarantee access to affordable care for every single citizen and legal resident.

I yield back.

Mr. MURPHY of Connecticut. Thank you, Dr. KAGEN.

Dr. KAGEN has been such a great voice on this. He highlights a growing issue that, I think, we can get bipartisan agreement on, which is that transparency of price, whether it be insurance products or physicians, is going to be so important, and empowering consumers to make these decisions can be part and parcel of what gets those costs down.

With that, I am very happy to have my good friend from Rhode Island join us today. I would yield to him.

Mr. LANGEVIN. I want to thank the gentleman for yielding, and I applaud his efforts, along with Mr. KAGEN's and along with those of many of my other colleagues. I applaud them for their interest and for their concern about the health care crisis that is facing America and that has been facing this country for decades. I am proud to join in the effort to speak out and to demand that this Congress finally, once and for all, addresses the health care crisis in America and establishes universal health care.

I particularly want to commend President Obama for making this such a strong priority for his young administration.

I thank the gentleman for yielding and, again, for his efforts in organizing this Special Order.

Mr. Speaker, our country has seen a significant rise in health care costs over the past several years. Again, this is a national crisis, and it is probably one of the most pressing domestic public policy concerns of our time. We have witnessed a growing population with longer life spans, with higher incidence of chronic disease, with greater income disparities, and with increased levels of the uninsured, all of which put a tremendous strain on our health care system. Each of these elements has conspired to create an untenable situation that is being felt in hospitals, in doctors' offices, by individuals and families, and by businesses. It poses a threat to our long-term economic competitiveness and fiscal well-being.

According to a recently released report by Families USA, 254,000 individuals in my home State of Rhode Island were uninsured during some point during the last 2 years. Well, these numbers are unconscionable, but I have to say they come as no surprise. I have continuously heard from individuals and families who are struggling with rising premiums and copays and who are overwhelmed by medical debt.

In fact, as my colleague mentioned, Mr. MURPHY from Connecticut, the rising cost of care for unexpected illness is one of the leading causes for personal bankruptcy. It is outrageous in a country like America that being sick could put a family into bankruptcy. I think this is unconscionable.

I have also heard from Rhode Island businesses that want to provide health coverage for their employees, but they simply can't afford the time or, most importantly, the expense of providing that coverage. Of course, workers who are fortunate enough to have access to health insurance face increasingly daunting costs while many people are afraid that they'll lose their benefits all together. This simply cannot continue. The time for comprehensive health care reform has come. This has to be the year that we fix health care in America, that we afford everyone universal health care coverage.

I am pleased that, within the last few months, this Congress and President Obama have already taken significant steps to expand health coverage for children, to increase funding for community health centers and to invest in innovative technologies that will ensure better treatments and outcomes for our future.

□ 1845

It is only with comprehensive health care reform that we will achieve substantive change that improves both our Nation's health care system and the health of our Nation's citizens. Fixing our health care system is also critical to ensuring that the U.S. remains competitive globally in this international market, making sure that our businesses can be competitive in the global economy and will improve our vital long-term economic growth.

In the spirit of furthering this important dialogue on health care reform, I have reintroduced my own universal health care proposal. I'm calling it the American Health Benefits Program Act which is designed to guarantee every American access to the same health care coverage as Members of Congress. I think that this is the right thing to do for the American people. In introducing this legislation, I'm not trying to reinvent the wheel. I want to look to a template, something that is already working. This proposal is modeled after the Federal Employees Health Benefits Program, or FEHB. It uses basically a health insurance exchange template

while leveraging the power of the Federal Government to negotiate with private insurance carriers so that competition for enrollees is based on quality, efficiency, service and price. Basically there is still a role for private health insurers, but it uses the bulk purchasing power of the Federal Government on behalf of the American people to get the best quality and the best price for health insurance.

Under this program, no one will be denied coverage or discriminated against based on their health status or pre-existing condition. The goal is to offer portable continuous coverage that drives investment and disease prevention and long-term preventative care which decrease the cost of health care over time. But most especially, it ensures that when someone is sick, they can go to a doctor and not worry about whether or not they can pay for it.

This proposal represents my own vision for health reform, one that contains cost, improves quality, increases efficiency, promotes wellness, guarantees universal coverage, and encourages the investment in treatments and cures for the 21st century. Each of these principles comprises a key element, an important goal within the national dialogue on health reform. Particularly it contains the key elements that President Obama has laid out as his requirements for fixing health care in America.

It is clear that we are about to set the scene for the next chapter of health care in America. And it is my strong belief that by working together, we can create a truly inclusive and sustainable model for health care that meets the needs of our children, adults and seniors regardless of their income level, employment status, age or disability. We are all stakeholders in this important debate, and we will all have a role to play in health care reform. I look forward to working with my colleagues to offer fresh solutions and create a new vision for health care in America. The time has come. This is the year. We're going to get it done.

I want to thank my colleague Mr. MURPHY and all of my colleagues who have joined in this Special Order tonight in this effort to fix health care in America.

Mr. MURPHY of Connecticut. I thank the gentleman from Rhode Island. You have been such a leader in this Congress for years on the issue of health care reform, especially, as the world knows, on the issue of stem cell investment. We know that one of the ways that we're going to get savings ultimately is by stimulating the next round of breakthrough treatments and cures that are going to save lives but also save money.

With that, we'll turn to my very good friend and classmate from Florida (Mr. KLEIN) for some wise sage words.

Mr. KLEIN of Florida. Thank you very much. I appreciate the gentleman from Connecticut and his characterization of "wise sage words." I will try not to disappoint you.

It is a pleasure to be here tonight with Members of the House to talk about health care. This is something that obviously touches every one of us, as 300 million Americans face health care issues every day. Some of us don't have to think about them from year to year other than maybe just a minor incident or you have to go to see a doctor from time to time. Others face literally chronic and life-threatening health situations every day, and it hangs over you. It hangs over you as just an emotional and physical thing as it relates to your body or your family, one of the members of your family. It relates to and hangs over you because of the costs and the threat of that overwhelming cost and impact on your family's wherewithal and to be able to do it. Certainly from the business community side, we hear from our small businesses. I know in South Florida, where I come from, we're a small business State, and so many small businesses with five employees, people who are self-employed, 10 employees, 50 employees, they go through the same experience year after year, double-digit increases with no experiences, nothing that went on during the year that was a major cost factor that set off these double-digit increases. And what happens is, they then have to make a decision: What can I cut back? We are in difficult times right now. Do I increase the copayments? Do I increase the deductible? Do I cut back on the scope of care? Businesses want to provide health care. It creates loyalty from the employees to the business. It creates a healthy employee and someone who is able to come to work every day, someone who you've invested a lot in to train that employee. You also have large businesses that can compete internationally. They know that the costs of producing something with that added double-digit increase of health care cost impacts the cost of the product that they are selling worldwide and competing with other countries which somehow integrate the cost of their health care into their government operations or just in a lower cost way.

We now have a dynamic in place here that's been around, but I think it has finally hit the point where there is a coalition of people all across America that are saying, we need change. And we don't want nipping around the edges. We don't want some small little thing that isn't going to make a difference. We have fundamental problems. We have cost problems. We have coverage problems in some cases, pre-existing conditions. I know anybody this in this room I can speak to and people listening tonight, everyone could talk about a family member, a neighbor, a friend who has breast cancer or some other chronic condition that when you need that insurance the most is when it will be unavailable to you because if you change jobs or you are getting a new policy, they will be excluding coverage from that pre-existing condition when you need it the

most. So the notion of insurance and spreading the risk among our whole population, which it's supposed to do, is what has somehow gotten away from the insurance system as we know it, and that's wrong.

So where are we? We're at a place where I think Americans say and want and know that they want to have something that's stable, something that will be there for them. They're willing to pay a fair price for it. They want to be able to compete in their businesses. And the good news is our President, many Members of the United States House of Representatives and the Senate want to do something about it, and we're getting great support from across the country. We have got to get it right, but I think there's a tremendous amount of opportunity here.

Let's talk just very briefly about what some of those notions are, those principles that we're going to create this plan. There are a lot of ideas out there right now. We can certainly invite Americans to talk to their Representatives and give us some input on what you think.

Number one, I think one of the most important things is this notion of restoring the doctor-patient relationship. We have a lot of doctors. Dr. KAGEN is a doctor. I see our friend from Pennsylvania who is going to speak in a few minutes. She has a doctor, I believe, as a husband and a son. There are a lot of doctors in the Schwartz family. And I think as patients we know the best thing we can do is have a long-term relationship with a doctor who knows my family history, knows my history. Not that I have to change jobs and change doctors, or my plan knocks this doctor off the panel, I have to find somebody else. So let's go back to the notion of having a doctor-patient relationship whose decisions are not dictated by people who are outside of the medical field, insurance companies, managed care, et cetera. Let's put that in place.

Number two, let's make sure that as we go forward that people who like what they have in the insurance world can keep it. I mean, there are a lot of people who like what they have. I wasn't out here criticizing everybody. Some people are very comfortable with the plan that they have. They should be able to keep it. Nobody is saying you shouldn't be able to have it. Keep it. It's good. Let's stick with it. We want to provide tax credits to small businesses and individuals to make coverage affordable. In other words, again, it's not mandatory as we know it right now. So encourage businesses by doing it with tax credits to make it affordable. We want to certainly end this practice of eliminating pre-existing conditions from coverage. Spreading the risk is a very simple principle that could be done with a pen, and we're all set. So that's a principle that has to go in there.

We want to make sure that whatever we put forward invests in preventive and well care medical coverage. I take

Lipitor or I take something for cholesterol. It's a family history thing. A lot of people take it. It's just something that keeps me healthy. If I didn't take it, I would have cholesterol. Dr. KAGEN could probably tell me how I should change my diet. I do run. I try to keep in shape. But the bottom line is, I take it as a preventive tool. There are lots of other tools and things that we can take, plus exercise programs and other things. But we should incentivize behavior through our health insurance scenario. Just the last couple of items before I turn it back to my colleagues, we want to ensure that we're using science-based information, that when decisions are made, it's based on science and not some of these non-science-based concepts. I mean, science really relates to the best individualized treatment and care.

Then, of course, we have to crack down on the waste, fraud and abuse. There's a lot of money in this current system here that is a lot of waste. We have to fix all that, you know, wring it tight so we can make sure that that money is being spent directly on health care. These are principles—and there are others that we're working on—that I think most Americans approve of and support. I think this is the construct by which the various ideas are being discussed here in Washington and are part of that discussion. There may be details which we may not all agree 100 percent on, but this is something that the time has come. The time has come for peace of mind for every American, for every business to know that we'll have a stable health care system that will support Medicaid, support Medicare, and on the private side, very important, most of us will get our care from the private side. We'll have that opportunity to know that it's cost-effective, and it will give us that necessary coverage.

I thank the gentleman from Connecticut who brought us together tonight. I know being from South Florida and having a tremendous amount of senior citizens who depend on a good quality health care system and a whole lot of families that are very interested in making sure their families are covered as well, we're working to make sure that we take care of them the right way here.

Mr. MURPHY of Connecticut. Listening to the gentleman from Florida, I'm reminded—you were down here with us the last time we were doing this. I got an e-mail not long after from a family member who comes from the other side, both the partisan and ideological side of the aisle. And he said, you know, be careful. You keep on talking about this. You know, it makes a lot more sense to me. I am struck by the principles that you have laid out because I think that a lot of our friends on the Republican side of the aisle, either here or out in the world, aren't going to find a lot of disagreement with a lot of things that we're talking about this system doing. I just think

it's important for our constituents and for the American people out there to really do a little investigation when they hear the pundits on TV or the leaders of the Republican Party talking about President Obama and socialized medicine or the Democrats' plan for a government takeover because all you've got to do is scratch the surface there, and you will find out that really what we're talking about is some pretty important and I think broadly agreed upon reform and that the bogeyman and the straw man that gets thrown out there in terms of terminology that doesn't have any place in this debate can easily distract you from what is really a pretty unifying debate that's starting to happen here. I appreciate your words.

One of the things you mentioned was the importance of getting at this issue of pre-existing conditions. Representative COURTNEY has been a great leader, offering his own legislation on that issue. I am glad to yield to the gentleman from Connecticut.

Mr. COURTNEY. I thank the gentleman for yielding.

Again, like the others, I think this is an incredibly important moment right now not only this evening but this summer. The summer of 2009 I think will go down in history really as one of the great movements forward by our country really at the level of when we passed Social Security, Medicare, Medicaid. And I, like you and the other speakers here, understand that; and getting this debate started and getting the facts out I think is the best way to make sure that we move forward and get this done.

I wanted to just share briefly an experience I had at the Congress on the Corner that I think is important because there clearly will be, as we go further into the summer, forces out there that are going to use misinformation and fear as a way of trying to stop the change that Mr. KLEIN described a few moments ago. At my Congress on the Corner, which was actually at a somewhat sort of off the beaten track or place, it was actually at a military PX, at the Navy base in Groton, Connecticut, where we set up our tables as active duty sailors, their families and retirees were going in to do their shopping. I had an experience which I just wanted to share with you, which was that many people, because of some urban myth that's out there, and whether it's talk radio or the Internet that is sort of propagating it, is spreading the claim that the Obama health care plan is going to take away TRICARE from our military and from retirees who are eligible for it. I just think it's important on this floor as clearly and as loudly to make the point that that is absolutely flatly untrue, that the veterans' health care system, the active duty health care system is going to be completely unaffected, as Mr. KLEIN said. It is an example of where the basic principles of this effort, which says that if you like the

health care that you have right now, you can keep it. And that is clearly true for the people who wear the uniform of this country or who did and who now are eligible for VA benefits.

□ 1900

In fact, between the stimulus package and the budget that has been presented by the administration, what we are seeing is an unprecedented new investment in military health care and in veterans' health care. We have great new leadership at the VA in General Shinseki and Tammy Duckworth, who are totally committed to making sure that this system is improved and, in fact, expanded to keep the promise for people who served in our military. And the efforts that we are going to be talking about over the next 2 months completely leave that system intact in toto.

What is ironic, though, is that enemies of reform are using the argument that we are taking away a government-run system at the same time that they are attacking the reform effort as being too much government. Make up your mind. Either one doesn't work and we should get rid of it, or if it does work, well, maybe we should take some good ideas that exist in the military health care system and in the VA and apply them towards the populace at large. We know in terms of electronic medical records that probably the most highly developed and advanced system in American health care is military health care as far as electronic medical records. Doctors in Landstuhl hospital in Germany can track the charts of our soldiers who are recuperating at Walter Reed hospital or other military hospitals around the country. They can just pull it up in ways that in the civilian system don't exist today. Again, I would just argue that rather than using government as sort of an example of inefficiencies, the fact is that the military has shown that they can actually organize a sound, comprehensive system that provides high-quality care.

Lastly, I just wanted to, because, again, some of you have already spoken very powerfully and eloquently about the fact that we have an insurance system that has run amok. We come from the insurance capital of the world, Connecticut. Your family and my family have people who worked in the insurance industry. In the good old days, insurance was about pooling risk and sharing risk and using it as a mechanism to help cover people in terms of dealing with accident, disease and chronic illness. Obviously, it has gone off in a different direction. It is about avoiding risk in terms of the way insurance markets are set up. We are not about dismantling the system in toto. But what we are trying to do is reestablish it and go back to its roots in terms of creating health care systems that pool risk and share it and do it in a way that actually gets back to the basic principles of when the insurance was first started. The whaling industry

in Connecticut created a situation where the whale ship owners realized they had to do something about losing ships. And that was the birth of insurance in Connecticut.

I will spare that history lesson and yield back. Again, my compliments for organizing this debate. And again, I do think this is a summer that historians will write about. And the discussion here is going to be an important part of it. So I yield back to Mr. MURPHY.

Mr. MURPHY of Connecticut. I thank you, Mr. COURTNEY.

There is, and you can feel it, I hope, from the folks that are on the floor today, an enthusiasm and an optimism that we have that I don't think we have felt in this House for a long time. The forces are aligned in a way that they have not been in a long time to get this effort done. And I think your point about people wanting to stand up the public health care system as an example of what needs to remain and then also tear it down I think is a really good comment. I'm reminded of a point made by a political columnist who talked about one of the statistics that is very often used by the side backing up the status quo, which is that in the Canadian health care system, you have to wait weeks, if not months, for a hip replacement surgery, and here in the United States you can get it pretty immediately. What they fail to point out is that 70 percent of hip replacement surgeries in the United States are paid for by Medicare, are paid for by a government-run health care system. And so we, through our public payment system, already do a pretty good job of getting people the care that they need. The fact is they spend a lot less money on health care in Canada than we do here. And we are not even talking about cutting back the amount of money we are spending. We are simply talking about trying to restrain the rate of growth. By reordering the money that we already have in the most expensive health care system in the world, we are going to be able to get good care. We will have short waiting times and access to all the people that don't have it.

So with that, I'm so glad that Representative SCHWARTZ has joined us on the floor. Whether it is standing up for primary care physicians or being a leader in this Congress on the issue of health care IT, I'm so glad to have you joining us here.

Ms. SCHWARTZ. Thank you very much. I'm very pleased to join you. I want to acknowledge the really good work, Mr. MURPHY, you have done in having these kind of dialogues on the floor and talking about health care and how important and how possible it is for us to actually find a uniquely American solution to the problems that are facing us, and to just reiterate a little bit, which is why we are here, why we are talking about this. It isn't only because it is a moral imperative; I know many of us have worked particularly on making sure Medicare

works very well or extending health care coverage for children, the CHIP program which we all really worked so hard on, I know some of us in our States, certainly I did, back in Pennsylvania in 1992, but even here on the floor, making sure that children of working families had access in most cases to private health insurance, to affordable private health insurance.

But the fact is that we are here because it is also an economic imperative. And we know that from hearing it from our businesses, small businesses and large businesses, saying that they cannot be economically competitive because of double-digit inflation and inflationary costs of health premiums for their employees. A business owner just told me the other day that their rates went up 40 percent from one year to the next. That is just not sustainable.

So we need to address that because if they are going to be economically competitive and continue private health benefits where the cost-sharing is reasonable with employees, we have to do something about the escalation in costs in health care.

And third, of course, is as a government we are spending money that is growing again in unsustainable rates under Medicare, and we need to contain the growth of those costs. And again I think I would reiterate what was said before is that we believe that Americans should have access to quality health care. They should have access to doctors, to be able to continue to have relationships with their doctors, ongoing relationships. But we also think that we can do three things. We have to be able to contain costs. And we can be smarter and more efficient and more effective in the way we provide health care in this country. And I will talk about that in a minute.

But secondly, we have to improve the quality of health care. We actually provide a lot of health care. And not all of it is exactly what you need and maybe more than you need, sometimes less than you need. We have to get that right. And we can.

And then we have to extend coverage to all Americans because Americans do put off health care that they ought to get. They go to emergency rooms because there isn't a doctor for them to see. And they often don't fill a prescription because they simply can't afford to. They don't follow the recommendations of health care providers.

I agree with Mr. COURTNEY. We are here in a moment when we can find a way, where we can, in fact, contain the growth of costs, extend coverage and improve quality for all Americans. And that is what we want to do. We are going to do it in a uniquely American way, which means it will be very much a public-private partnership. And we will build on what works in the system, which is that most Americans get their health coverage through their employers, 55 percent of the insured get it through their employers. They will be

able to keep that. Hopefully it will be less expensive for the employers. And for the group in particular that is so hard to access health coverage, these small businesses, individuals, they are going to be able to find a way to find affordable, meaningful coverage. Mr. COURTNEY didn't even talk about his preexisting condition bill, which is really very important in making sure that when you buy insurance to find out maybe years later that you don't have coverage for a condition because, in fact, they found some reason that this was a preexisting condition, is really just not acceptable anymore in this country. We should make sure that coverage is meaningful.

I do want to just say on the delivery system, we have already taken a very major step forward in putting some real dollars into the system and under Medicare to incentivize our hospitals and our doctors to use electronic medical records. Interoperable—that means different doctors and hospitals can see what is going on, patients can see what is going on to them, go and check their own records potentially, which is a very exciting way to empower patients. Under Medicare, we are going to say that physicians and doctors in this country are going to use electronic medical records. And this way they won't duplicate unnecessarily tests. They will actually be able to find out if a patient filled the prescription and if they are taking the medication, and if not, give them a call and say, you haven't been back in 2 months, you're early diabetes and you really need to be taking this medication. You really need to be monitoring what you eat. And if you don't, you're going to get a lot sicker. Why don't you come in and we will talk about that? Wouldn't that be something if a doctor gave you a call and said that?

One of the ways we can do that is making sure that we have adequate primary care in this country. And we don't. We don't have enough primary care providers. I just had a conversation with another Member representing a rural area. And he said, I represent a small town. There are not enough primary care doctors. I You know what, I represent a suburban/urban district and we don't have enough primary care doctors. This is a problem across this country.

In 1998, half of the medical students were choosing primary care. Well, just now, we are actually looking at 20 percent choosing primary care, and they expect that number is going down. And so there is a reason why we can't find a primary care physician. They aren't out there. And while we all want to have our specialists when we need them, having the access to primary care is extremely important to making sure you get the kind of care that you need and that you get it in a timely fashion and that you have somebody help you figure out what specialist to go to and figure out what kind of care you need and hopefully help you stay

healthy and help those, particularly with serious chronic diseases, have ongoing care.

I see you all nodding. You're probably ready for me to conclude. But this is something I think people do as part of health care reform. As we move forward, there are a lot of different pieces. It is complicated. It is not going to be easy to do. We have to believe in each other that we can do this right and that we can get it right. And that is what we are trying to do. The next 8 weeks will be very important to the American people, to American businesses, to the sustainability of providing quality health care to Americans.

I look forward to working with all of you to get it done.

Mr. KAGEN. You have got me all excited now. It has taken so long to get to this point. It is very frustrating. Back when we first got here, the class of '06, we got to initiate bills in '07 in the first few months. And as they say here, I dropped a bill called "no discrimination" to apply our constitutional rights to prevent us from being discriminated against, to prevent the insurance companies from cherry-picking people out.

I don't know how it is in Pennsylvania, but in Wisconsin, in my neighborhood, I grew up in a neighborhood. But that neighborhood has been chopped apart by the insurance industry. The insurance industry was allowed to separate Mrs. Koss or Mr. Romer out of the risk pool because they had some condition they didn't want to touch or insure. And it has gotten to the point now where even some mothers may be split from their family because they have a condition, and their children can be insured but they can't. So I like the idea that we are going to get primary care and access to primary care. But as you know, we don't have enough doctors and nurses right now. So we have to invest in a possibility to make sure that our students can go to school and perhaps have their funding paid for through medical school and in return give us those years back in terms of service in primary care where that need most exists. My district is a rural district. I would point you to the rural district of northern Wisconsin.

As Mr. COURTNEY has brought out so elegantly about the VA system, I would ask this question not only to him but to everybody in the country: Is there any reason why a soldier served only for himself or herself to get that benefit at the VA at the pharmacy? If a soldier has a VA benefit and has a discount, a medication available at a lower price, is there any reason not to provide his or her entire family with that same medication at that price? And what about his neighborhood? What about his community? In fact, what about the whole United States?

No soldier today is serving in Iraq and Afghanistan for him or herself. They are there for our Nation. And if

the VA was successful in negotiating a steep discount for a given medication, I think that price ought to be available to anyone who is willing and in need of that medication. And Mr. KLEIN from Florida mentioned that he might be taking a medication. Is there any reason that it continues to exist today that if I go into a pharmacy anywhere in the country, if all four of us are in line to get the same exact prescription, the same number of pills, we are going to pay four different prices for the same thing? I think not. I think we have to have complete transparency, and the price that one should pay for medication is the lowest price available within that community, and that price should be openly disclosed.

And no one put it better than one of my constituents. Kaukauna is another city that Barack Obama has visited in my district. I tell you, this guy, Obama, is everywhere. Sally from Kaukauna said, "Our prescriptions cost \$1,000 a month. This is a very big issue for us." Well, heck, yeah. If you don't have the money, you're not going to get the medication you require just to survive. So I would submit to you that it is time to end discrimination in health care. And when we do, that form of discrimination that takes place at the pharmacy where Mr. KLEIN might get charged three times what the person in line next to him is charged for the same medication, to me that is a form of discrimination. I think it is time that that form of discrimination came to an end. We have to have openness and transparency for prescription drugs and be allowed to negotiate for a lower price.

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Mr. MURPHY of Connecticut. You know, Mr. KAGEN, the discrimination finds itself in a lot of different corners. It's not just you, as an individual, who may not be able to get that insurance. But it prevents you from going out and getting employed or reemployed, because that discrimination is against you individually, but also against your employer, that if you have a small employer who's looking to go out and get health care for his five or six employees, that insurance could potentially be double for your pool of five or six employees if one of them happens to have a preexisting condition.

So, you know, it's really a triple whammy for somebody that gets sick and has expensive care: one, you have to deal with the limitations on yourself through that disease; two, you may not be able to get insurance to cover it. You may have to pay for it out of your pocket; and three, you may not even be able to be employed because employers today are going to say, Forget it. Even though that guy might be the perfect person for this job, I might need that person to fill that slot. It's going to break my bank if I have to put that person on the insurance rolls. And that's another reason why we have to make sure that the elimination of pre-

existing discrimination is part of this bill.

Ms. SCHWARTZ. I just want to mention a couple of answers. I was also going to say it prevents people sometimes from leaving a job. Sometimes they say, you know, I don't know if my next job's going to have the same health benefits. Can I risk taking another job? And you have sort of a job lock in that situation. And, of course, as we know, because of the high cost, a lot of employers are passing it along, there's more cost sharing.

But there are several answers to this. There's a bill that's been introduced, we hope to get done, that requires transparency in the language that's used in insurance policies. All of us are supposed to read that fine print. Well, I don't know how many of us really read the fine print. And the fact is that even if you do, you may not really know what it means until you're faced with the situation.

So there's a bill I worked on with Congresswoman ROSA DELAUNO, and it says about language, if it says, I'm going to cover hospitalization, well, it means the same thing whichever insurance company is selling it. So if you're going to look at that, you will know what's covered and what isn't and then be able to decide whether that's the kind of policy you want or not.

The others we also—there's legislation that I also actively support that says that small businesses should be able to band together to use their purchasing power to buy insurance in the private marketplace.

And third, something that we can do to help individuals as well as small businesses is to do something called community rating. So you say it's not this small business that has five employees, somebody gets cancer, well, they're rated on that experience. Their rates can go skyrocket the next year.

What you can do instead is say we're going to tell the insurance companies sell insurance, but the records have to be set not on the experience of that small group but on the experience of the broader community. We're going to really spread that risk. That's how insurance is supposed to work. Share the risk more broadly, come up with a community rating system that's fair, that the businesses or individuals would pay but isn't, one by one, based on your conditions, your gender, your age, and to be able to go forward on that.

We can do those things. Those are just changing the rules of the marketplace, and that will make it more affordable, more accessible for more Americans to be able to buy health insurance.

Mr. KLEIN of Florida. Will the gentlewoman yield?

Ms. SCHWARTZ. Please.

Mr. KLEIN of Florida. I think that's an excellent point. And again, if we think about what insurance is supposed to do, it is supposed to spread the risk. Yet the experiences that small businesses have with 8 employees or 1 self-

employed or 10 is they get a different pricing than somebody who's negotiating for 10,000 people. A major corporation that negotiates for 10,000 or 100,000 lives has a much—we call it the economy of scale, but it is also the insurance company saying, All right, we have a large group. We can spread the risk.

Well, why should that be any different than you take your small business and your small business, and in Fort Lauderdale where I'm from or Delray Beach or wherever, you've got all these small businesses, 8 and 20 and 110, and let them combine together and purchase policies. And that is just a basic right of free enterprise to be able to do that.

I'm going to toss out another idea because, again, a lot of this thinking that we're talking about is common sense. It's not out-of-the-box thinking; it's just common sense.

When I was in the Florida legislature a number of years ago, we were looking at various ways to fix the health system, because, unfortunately, despite your good efforts and others for the last number of years, nothing was really happening of any major consequence. And we said, Well, what if we allow people to purchase into the State of Florida health insurance plan?

Or let's use the Federal system. We have hundreds and hundreds of thousands of people in our Federal system. Okay? Members of Congress and everybody else gets to buy this, and it's a typical plan. The government pays a piece of the premium and we pay a piece of the premium. Okay? What if we allow people to buy into the Federal plan? Okay. Not on the Federal Government's dime. No subsidy whatsoever. Whatever the cost is, the administration and the policy and everything else, purchase into that.

Well, we did some research on this to the State of Florida plan, which is not that much different than the Federal plan, and we found that if you take a small business that was trying to buy a policy, the same policy, apples and apples, the price was almost twice what it would cost if they paid the full out-of-pocket cost in the State of Florida plan.

Now, of course, our friends in the insurance industry were not interested in supporting that because they like the idea of the small groups buying individually. And they said, Well, it's going to change the risk assessment.

You know, where there's a will, there's a way. That's my attitude about this whole thing. So again, I think as we're going through this discussion, maybe we can talk. I know some of the Members of the Senate and some House Members. I think that just may be another way of offering alternatives, options to people. Let them purchase into a large plan like the Federal Government plan.

Again, the U.S. taxpayer is not subsidizing it. Whatever the cost is, it is. But you get the benefit of a large plan

that lots of people are in and you can spread the risk.

So, again, to me the excitement right now is lots of good ideas are coming forward, and I think we're going to be able to get there, and let's just engage the American people in the right answers.

Mr. MURPHY of Connecticut. And, Mr. KLEIN, when you talk about it like that, it is common sense. When you talk to a small business out there and you tell them, Listen, what do you think about having the option, up to you, to purchase into a plan that is run or administered by the State of Florida? The State of Connecticut, we're looking at doing the same thing, or the Federal Government. If it costs you less, you know, people are going to raise their hands by the droves because you're giving them more choice. Right now they may be, you know, if you're in some States in this Nation and you are looking to purchase an individual policy or a group policy, you don't have a lot of choice out there. It's Blue Cross/Blue Shield or—

Mr. KLEIN of Florida. Would the gentleman yield for 1 second?

Mr. MURPHY of Connecticut. Of course.

Mr. KLEIN of Florida. I want to make it perfectly clear, if I didn't make this, when I say State of Florida or Federal Government, the State of Florida doesn't own an insurance company. It could be Blue Cross or United, any combination of private companies. So it's the Federal Government through our Blue Cross or whatever it may be. It's private companies offering the insurance. But the beauty, of course, is the spreading of the risk.

Mr. MURPHY of Connecticut. And giving people choice. I mean, I think that this really gets back to the fact that if consumers—and Mr. KAGEN was talking about this at the beginning. If consumers know what they're buying, if they can really compare the cost of A to B, and as Ms. SCHWARTZ said, they know the terms of what they're buying, they're going to make smart choices.

And many of us here in Congress who would like for individuals to simply have the option to buy into even the plan that as Federal employees and Members of Congress we have the benefit of getting, we want them to have the option of doing that. If it costs less in their particular region of the country, great, they'll buy it. If it costs more somewhere else then maybe they won't. But no subsidy from taxpayers, no check from the general treasury, just the cost of providing that plan.

And the fact is that the plan that is run or sponsored by the Federal Government, it might be cheaper for people because maybe it doesn't have the same profit motive that the private insurers have. Maybe it's found a way to get administrative or marketing costs down. Maybe it doesn't have to return money to shareholders like private plans do.

But all we think is that individuals and businesses out there should have that choice, like I have the choice to buy private health care in the market or join the Federal employees health care plan.

Ms. SCHWARTZ. Just to reiterate, I think what we want to really be very clear with our constituents and with all Americans is that we are looking for creative ways to increase the choices and increase access. And again, it should be affordable. It has to be meaningful coverage. We have to make sure we have the delivery system that works.

We also think that this is a shared responsibility. I certainly do. This is something that we're asking individuals to take some responsibility, employers to take some responsibility, we're asking insurance companies, and many of them are stepping up to the plate saying, We can do this. Many big companies are also saying, We're doing some really innovative work on prevention and health care for our own employees. We're encouraging them to walk and to eat right. And, obviously, I think we should do that for school kids and all of that as well.

So there's not really a single answer here. The issue is how can we improve the delivery system, the health care system you encounter so you get the best kind of care you might, that we make sure we have the right kind of providers working at their scope of practice, as we call it, and really providing you with the right kind of care. But all of this has to work together.

One of the reasons we're looking at all of these issues at once is because we know it makes a difference if we can contain costs, if we can get everyone coverage, if we can actually improve the delivery system, then all of us will be better off. But it takes—it's not really the government doing this alone by any means. We're hoping to be a trigger for some of this, and we have asked all of the stakeholders to participate.

Yes, the insurance industry, the pharmaceutical industry, the hospitals, the physicians, and they've really been at the table, a lot of advocates for the different groups as well, and so have we. We all bring our personal experiences, some of them good, some of them not so good in the health care arena, but we all recognize that we could be without health care coverage. We could be without access to the health care providers that we need, and we never, none of us, want to be in that situation. And, unfortunately, it's true for too many of our neighbors, too many of our constituents. And it's about time for us to step up and say we again are going to find a uniquely American way to address these issues for our constituents and for our country, and we're all going to be better off for it.

Mr. KAGEN. Thank you for yielding. I'm just reassured, I'm more reassured tonight, I'm more optimistic tonight

than ever before that by working together, not just as Democrats and Republicans or Libertarians or Independents, but as Americans we're going to come up with the solutions we need, as you say, to find this uniquely American solution to our health care crisis. It's going to happen. And, as we said tonight, in part it's going to be by leveraging the marketplace, using the marketplace to leverage down prices for everyone.

After all, for those of you who are listening tonight, do you want to pay the higher price or the lowest price for the medical care that you need? Today the price is whatever they can get.

So I look forward to working with all my colleagues on the floor in the House and working with the Senate to bring about the solutions that we need.

Mr. MURPHY of Connecticut. Mr. KAGEN, as a closing comment I will just say that, as much agreement as we've had over the last hour, there's going to be disagreement. There are going to be people that try to stand in the way of this change happening. And there's a memo circulated by a Newt Gingrich pollster going around Washington now and around the circles that want to stop reform from happening, and it sort of lays out the case for how you can stop health care reform. But it's interesting because one of the underlying points of that memo, based on the polling that this pollster had done around the country, was that this year you can't be for nothing. This year you have to be for something.

Now, he undergoes a very cynical analysis of how, in the end, you stop reform from happening. But the message, even through this conservative Republican pollster, is clear: People want change. And I think they're going to get it this year.

I thank the Speaker for giving us this time, and we yield back our balance.

THE STIMULUS PLAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Ohio (Mr. LATOURETTE) is recognized for 60 minutes.

Mr. LATOURETTE. Mr. Speaker, I thank you for the recognition, and I thank the minority leader for giving me the opportunity to take some of the Republican time this evening. And we're going to talk about a couple of things that, one, we've talked about before, and two, we're going to talk about this mess.

Never in my lifetime did I think that the United States of America would not only own a lot of banks in this country, but also two of the big three automakers are soon to be owned by the American taxpayers.

The first issue of business, just to do some cleanup, you will recall, Mr. Speaker, that earlier in the year, in President Obama's stimulus bill there was a provision, originally it was in-

serted by the Senate, and the Senate indicated that AIG executives should not receive exorbitant bonuses unless there were some conditions put on it.

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That legislation, that section of the stimulus bill was authored by a Democrat and Republican: Senator SNOWE, the Republican of Maine, and Senator WYDEN, the Democrat of Oregon. And the House version was silent. And then it went into this conference committee and, Mr. Speaker, you know well that when we pass something and the Senate passes something and they're not exactly the same, we have to have a conference and we have to work out the details and resolve things.

So there was a conference committee. Sadly, there weren't any Republicans on the conference committee. The conference committee was comprised of all—completely of Members of the Democratic Party. And in that conference room, somebody took out the Snowe-Wyden language that put restrictions on the AIG bonuses and instead put in this paragraph, about 50 words over there to my far left, that not only removed the Snowe-Wyden language but it put in that paragraph—and that paragraph, if you read it closely, indicates that not only were we not going to put restrictions on the AIG bonuses but that specifically protects them because it says any bonus that was entered into before February 11 of this year—which happens to be the date that the stimulus bill passed, the conference report passed—is protected and you're not going to mess with it.

Well, a lot of people were embarrassed, and I would dare say—and I don't cast aspersions on my Democratic friends. I suspect a lot of them didn't know about it. But every Democrat in the House of Representatives voted for the stimulus bill with the AIG bonuses protection language included in it except for 11, and every Republican voted against it. And we had made kind of a simple argument. If you remember, the stimulus bill was a thousand—it was over a thousand pages long and it spent upwards of \$790 billion of taxpayers' money. And we had sort of this novel idea, and that was maybe Members of Congress should have the opportunity to read the bill before we are asked to vote on it.

So the Tuesday of that week we had a motion on the floor and everybody, every Republican, every Democrat voted that we would have 48 hours to read the bill. And as a matter of fact, it further stipulated that it would be put on the Internet just in case some of our constituents were wondering how the government was going to spend \$792 billion of their money.

A funny thing happened between Tuesday and Thursday at midnight, and that is apparently the President had promised he would have the stimulus bill on his desk for signature for the President's Day weekend, and that

weekend was the President's Day weekend. So the bill was filed at about midnight on Thursday night and it was brought to the floor. And rather than having 48 hours, we had 90 minutes—90 minutes—to read a thousand pages of how the hundreds of billions of dollars were being spent. And son of a gun, it got missed that this paragraph was in there protecting the AIG bonuses.

The next day, if you remember the news, Mr. Speaker, everybody was shocked. The President was shocked. Members of Congress were shocked. We can't believe it. We couldn't believe that \$173 million was going to be given out to AIG executives in the form of bonuses. How can this happen? You have to do something about it. You have to lock them up.

They came up with a goofy idea to put a bill on the floor—and I said it wasn't a fig leaf, it was a fig tree—that we should tax these bonuses at 90 percent. And oh my gosh. First of all, the thought that we would use the United States Tax Code to punish people that we're mad at to the tune of 90 percent is nuts; but then secondly, if you look at the top bonus receiver at AIG, he was getting \$6.4 million. And so if we're really, really mad at them, why are we only taking 90 percent away from them in taxes? Why don't we take the whole thing? That guy or gal—I don't remember if it was man or woman—still got \$640,000.

Somebody in my district making 40,000 a year has to work 16 years to get \$640,000. So clearly stupid, clearly people were embarrassed.

So we have been on the floor the last little bit, and most people who grew up in my generation are familiar with the very fine Hasbro game Clue, and we have been trying to determine how that paragraph got into the bill 'cause nobody wants to claim it. It just all of a sudden showed up, but we know that can't be right. Somebody had to physically take out the Snowe-Wyden language and put in this language.

So we do have a game of Clue that we're working our way through. And I think, hopefully, we're going to be close to solving it.

And just around the board, Mr. Geithner, who is the Treasury Secretary, Rahm Emanuel—who happens to be the President's chief of staff—CHARLIE RANGEL, who is the Ways and Means chairman, Senator DODD from Connecticut, who was the chairman of the Senate Banking Committee, the Speaker of the House, Mrs. PELOSI, and the leader of the Senate, Mr. REID of Nevada.

If you remember, in the game of Clue you have to identify where the thing happened, what was the weapon used and who did it. And over the last couple months we've made amazing progress. We know that the weapon used was a pen—might have been a computer but we're going to go with a pen. We also know from the President's reports that it either happened in the Speaker's office where there was shuttle diplomacy going back and forth, or

the conference room. And now we just have to get down and figure out who did it because nobody is willing to stand up and say who did it.

Mr. Geithner, the Treasury Secretary, has testified that he got instructions from Senator DODD's staff. Senator DODD says, Okay. Maybe we put it in but we did it at the request of the Treasury. We ruled out Mr. RANGEL because we don't think he had anything to do with it. But Mr. Emanuel, the Speaker, and the majority leader were in the room when the deals were being cut. And so we're just trying to figure out who did it.

And it would be nice so we could move on to other things if the person that did it would come forward and say, You know what? I wrote those 50 words to protect \$173 million in bonuses at AIG and here's why I did it. But sadly, we haven't had anybody step up to the plate and be willing to talk about that.

So we filed what's known as a resolution of inquiry, and if there is a very cooperative bipartisan person in the story, it's BARNEY FRANK, who is the chairman of the House Financial Services Committee, a Democrat from Massachusetts, and he moved that legislation out of his committee—I think the vote was 63, 64-0. Everybody said let's get to the bottom of it. But now sadly—and somebody who's not pictured here is the distinguished majority leader of the House of Representatives, Mr. HOYER of Maryland. He has the power to schedule things and not schedule things, and sadly, we're now entering our third month and Mr. HOYER has not seen fit to schedule this legislation on the floor for consideration.

But Chairman FRANK did organize a meeting with folks at the Treasury, and they had promised to send us a letter. And they have indicated in this letter that we might finally be able to say that it was, for instance, Senator DODD in the conference room with the pen. So we hope to get there from here.

But, sadly, this isn't where it stops.

The automotive world has been shaken by the bankruptcies, forced bankruptcies of Chrysler and General Motors. And the auto world has been shaken with the forced bankruptcy of Chrysler and now General Motors this week. And a couple of things happened that have again spawned our curiosity and we can't quite get to the bottom of it.

Chrysler. We'll start with Chrysler. Chrysler filed a viability plan with the Treasury on February 17, and that was rejected. They then filed another one and it was accepted. And they sent on the Wednesday of the week that the President made his announcement on April 30, anybody that was a UAW member, United Auto Worker, who worked for the Chrysler facilities went to the ballot box, if you will, to determine whether or not to authorize a new contract that gave pretty serious concessions in terms of wages, health care

benefits, retirement benefits to Chrysler.

And one plant in my district—I'm from northeastern Ohio, Twinsburg, Ohio, stamping plant there, 1,200 people employed—they went and they said, Look, we want to keep our jobs and so even though these are pretty significant reductions in pay and benefits, we're going to vote for it. And they did. Eighty-eight percent of the auto-workers in Twinsburg voted for the contract. They were further emboldened and happy because this paragraph that's on this chart was specifically bargained for by the Twinsburg workers with Chrysler—and you can read it for yourself, Mr. Speaker—but it basically indicates that Chrysler has agreed to bring more work to Twinsburg. So 88 percent of the people voted for it. And as a matter of fact, all across the country the contract passed pretty handily.

Then you fast forward to Thursday.

Thursday, if you were interested and you are a Member of Congress, you could get on a conference call with the President's automotive task force and they indicated to us that it's a great day for Chrysler and we're saving a lot of jobs. There will be no disruptions. There will be no displacements. People aren't going to lose their jobs and communities aren't going to be affected. So I was pretty happy. I sent out a press release saying "thank you" to the President, "thank you" to his task force, "thank you" to Chrysler, "thank you" to the UAW, that this looked like pretty good news.

Then at noon that day, that's what President Obama had to say on noon on April 30. He indicated, Lest no one should be confused about what a bankruptcy process means, it will not disrupt the lives of the people that work at Chrysler or live in communities that depend on Chrysler.

So that's pretty good news.

So the President says no people's lives are going to be disrupted who work at Chrysler and no communities will be disrupted. Which, again, just from my parochial view was pretty exciting because 13 percent of the tax base where this stamping plant is located is based upon the stamping plant and the people that work there.

So the mayor was relieved. She sent out a press release. Everything was good.

So then at 1 o'clock on April 30, we had a conference call with Robert Nardelli. He was former chief executive officer at Chrysler. And it was a question-and-answer session. And the first question was asked by the Democratic Governor of the State of Michigan, Jennifer Granholm. And she said, Congratulations, guys. This is great news. I just heard the President, but I want to make sure that the President wasn't speaking in code because I heard him say that this deal saves 30,000 jobs and we, especially in Michigan, know that more than 30,000 people work for Chrysler. It's about 39,000. So I'm just asking

it to make sure that he wasn't saying we saved 30,000, but we couldn't save the other 9,000. And the answer was, Absolutely not. The President was just giving us a round number and there would be no disruptions to people's lives and no disruptions to the communities.

Well, son of a gun, that afternoon there was a pretty famous picture in most of the newspapers of this young guy with a truck taking these bankers boxes into the bankruptcy court up in New York. And buried in that set of documents is an affidavit by a guy named Robert Manzo. Mr. Manzo happens to be one of the consultants who was guiding Chrysler through this process. And in there it identifies eight plants and 9,000 people that are going to be shut down, including the Twinsburg plant. And, clearly, that came as kind of a shock to people. And I have an article that talks about—they interviewed the President of Local 122 in Twinsburg, and he said, Well, what do you think? And his response—Doug Rice is his name—he said, I don't know if I was told the whole truth on everything. I don't feel like I was. It would be a shame if this was something that was known for some time. If they kept this back from people, that's wrong. That's wrong.

He was later on a radio program, and the host of the radio program asked him, Would that vote have been the same had you had the information you have now? And he says no. Needless to say, people ain't gonna vote to eliminate their jobs. And I think Mr. Rice is right. What autoworker would go to approve a contract on the belief that their jobs are going to be saved if they really think their jobs are going to be gone?

So we have developed, Mr. Speaker, Clue, the travel edition now, to supplement our work on AIG. And in this case clearly—I mean, the documents that were wheeled into the bankruptcy courts on the afternoon of April 30 with Mr. Manzo's affidavit, clearly somebody knew. Somebody knew that when the President got up and delivered this happy news, this good news that five plants—eight plants were going to be closed and 9,000 people across the country were going to be out of work.

And here's how silly it got. One of the next questions was by a Democratic Representative from Wisconsin, GWEN MOORE, who represents the Milwaukee area, and she said, Hey, Mr. Nardelli, how about our plant in Kenosha, Wisconsin? Eight hundred people and we are really proud of it. It has a long history of manufacturing automobile parts. And so are we going to be okay? And Mr. Nardelli says, We're proud of Kenosha, Wisconsin. Kenosha is part of the new Chrysler, and we very much look forward to continuing that partnership.

Sadly, like my stamping plant in Twinsburg, the Kenosha plant was one of the eight scheduled to be shut. Obviously, Representative MOORE had some

questions and said, Well, I asked you. It's not like I didn't ask you. I asked you about Kenosha, Wisconsin. And Mr. Nardelli's response was he got confused. He confused Kenosha, Wisconsin, with Trenton, Michigan. They don't sound alike to my ear, but when he was saying that Kenosha, Wisconsin, was safe, he really meant Trenton, Michigan.

□ 1945

In addition, the mayor of my town, Katherine Procop, wrote Mr. Bloom on the President's task force and said I heard the President say no communities were going to be affected. We're just taking a pretty big whack here; what's going on? And she got a nice letter back, and the letter said, well, what the President meant to say was that no communities were going to be disrupted other than the eight with the plant closures and the 9,000 people out of their jobs.

The problem with that is that was known by no one. Nobody knew, at least the auto workers, the elected officials, the mayor and others, that this was going to happen. And when you ask them, they said, well, we couldn't tell anybody, it was a secret. Somebody knew, because it was in the documents.

So we have created Clue, the travel edition, and this time instead of a pen, we know that the weapon is an ax, because they axed 9,000 people who work in this country and had good, paying jobs. And again, we have the same rooms where these negotiations took place, and our suspects this time are the President of the United States. President Obama is up there; Larry Summers, who is the President's economic adviser; down here Mr. Nardelli, who I referred to, the former CEO of Chrysler, the ax of course; Ron Bloom, whom I referenced and communicated with my mayor; again, Mr. Geithner, the Treasury Secretary; and up here is President George W. Bush.

Now, somebody in this Clue edition knew that eight plants were going to be closed and how easy would it have been for the President's speech writers to give him the information that, great news, we saved 30,000 jobs, we saved all these plants, but we can't save them all. It's like four words. But rather than diluting the happy message, somebody didn't tell eight cities, eight plants, 9,000 workers, that their jobs were to be lost, and I think it's a shame.

And again, I should just tell you, nobody is stepping up yet. The call that I referenced with Governor Granholm and Representative MOORE was tape-recorded, and I called up the Chrysler guys. And I said, hey, the thing was tape-recorded; why don't you let us have the tape. And first response was, it wasn't tape-recorded. And I said, well, you know, my hearing isn't what it used to be when I was in my 20s, but I do remember people saying it was recorded. And then they called back and said, yes, it was recorded, we have a

transcript. And I said, well, send it over, and they said, sure. And I said, how about that courier? They said sure. And so that was in the morning.

About 5 o'clock in the afternoon. You know, I'm looking around, I don't see any package from Chrysler. And so I called back and was told that the lawyers have it. And listen, anytime the lawyers get a hold of something, you know you've got a big problem. And so I was beginning to think that I wasn't going to get this transcript. And then a couple days later, they called and said, I'm sending you a letter. And I said, I think that means I'm not getting my transcript. And they said absolutely not, we're not sending you the transcript.

And again, if the facts were not as I just laid them out, the transcript speaks volumes. I mean, it is what it is. And again, in the game of Clue, I mean, who knew? Who knew? And I yield to my friend, Mr. TIBERI.

Mr. TIBERI. Well, I thank the gentleman and my friend from northeastern Ohio. Your explanation and your comments have been very, very enlightening. I'm pleased to be here to participate in the travel edition, as well as the original edition.

I'm a bit confused, though. You haven't explained why the pictures, the six pictures—I understand five of the six. But the top, as I'm looking at it or as I guess the viewers are looking at it, the top left, right there, why the former President's picture is on it when he's been out of town since mid-January of this year.

Mr. LATOURETTE. That's a great question, and the reason that President George W. Bush is up here is that there's some people that blame him for everything bad. And so as a result, I thought to be fair, just in case, even though he was back in Crawford, Texas, when all this was going on, just in case, we should have President Bush up there to satisfy those that blame him for just about everything that has happened.

I want to move on for just a second before I yield to my friend again, and the news has gotten worse. And the news has indicated that in addition to the 9,000 people who worked for Chrysler that aren't going to be able to work for Chrysler anymore, for some reason, through the bankruptcy, first Chrysler indicated and sent notices to 789 auto dealers across the country that they needed to shutter their doors. And according to the National Association of Automobile Dealers, about 60 people work on average at each auto dealership. And then this week's news, with General Motors news, 2,600 General Motors dealerships, and again, 60 employ-

So the first job loss is projected to be 47,000 roughly, second job loss 156,000. So another 200,000 people are going to be out of work. And you know, some people don't understand how an auto dealer costs the car company any money. And some people further think

it's a strange business model to have less stores. You want to sell more stuff, and in particular in rural areas and in particular when it comes to their service department.

On top of that, The Detroit News reported on May 11 that this task force that Mr. Geithner's on and Mr. Bloom's on indicated that during the bankruptcy proceedings not only were we going to have to approve these closures of these 789 Chrysler dealerships, they also said they didn't want Chrysler spending any money on advertising during the course of the bankruptcy. And finally, when it was indicated to them how stupid that was, they let Chrysler spend half of what they intended.

So, again, you have a business model where the thinking is that Chrysler's going to be more successful with less stores, and Chrysler's going to be more successful with no advertising, especially when it's in the news and people have concerns about buying a car from a company that's in bankruptcy.

So some strange decisions have been made, and it's caused some people to ask Harley Shaiken, who is a labor expert at the University of California, Berkeley, certainly not a hotbed of conservative thought; he said the auto task force tends to be a little tone deaf. A large part of their approach tends to be at cross-purposes with the stimulus package. The Obama administration is trying to spend money to create jobs at the same time that they're cutting jobs.

I know my friend from Ohio knows that another colleague of ours from Ohio, Mr. JORDAN from the western part of Ohio, participated in a hearing in front of the Judiciary Committee. And the question came up, These people on the task force, do any of them have experience in manufacturing, manufacturing cars, selling cars, making parts? And the answer was none, nobody has. They had plenty of Wall Street experience, but they don't have any experience when it comes to the automotive industry.

And the witness went on to say—and this was really startling—that most of them don't own cars, and not only don't they own cars, those that do own cars drive foreign cars. But again, this is a group of people that are making—and they're not elected, they're appointed—this is a group of people that are making these decisions that is going to cost, if you add in the Chrysler stuff, we're getting north of—and you have to put in the GM workers, another 21,000 workers this week, you're north of 250,000 jobs. I yield to my friend.

Mr. TIBERI. Well, and just to kind of emphasize a point that you had made earlier about your mayor and the response that she got, that the President's quote of it will not disrupt the lives of the people who work at Chrysler or live in communities that depend on it, his quote, and then the reply back to her meaning, well, those communities outside those targeted for

closing. Well, that doesn't include, to the point of your chart right there, the thousands, the tens of thousands, the hundreds of thousands of jobs that are going to be lost by dealers throughout America and many communities, and those who are subcontractors within the industry or others in the supply chain, suppliers of different parts.

And we have in Ohio, as you know, one of the larger presence of auto suppliers throughout our State. And if you look at the dealers, as your chart demonstrates, 789 Chrysler dealers throughout many small communities and larger communities, 2,600 GM dealers, many of whom by the way made money last year. These are not dealers that were struggling or going to be put of business. They were making money. They were employing people. They were participating in their communities, in their Rotaries, sponsoring Little League baseball teams. This is a huge jolt to many communities throughout our State, throughout our country, let alone the plants that you had spoke about earlier.

But there is a missing link here as to who is calling these shots, how are they determining which dealers close, who is actually making the call, the decision, that Chrysler cut their budget in half, what kind of decisions are being made with respect to General Motors that we don't know about. I know I'm asking more questions rather than providing answers. Maybe one day we will get to some of these answers, but I see the gentleman has a new chart.

Mr. LATOURETTE. I thank you very much, and I want to go back to Mr. Manville because we know already that the President's task force determined that Chrysler shouldn't have an advertising budget that they wanted to have, and now with the GM news, it's sort of been like Pontius Pilate; they're washing their hands. These are all decisions that have been made by the car companies, we don't have anything to do with it.

But here's an e-mail that was exchanged the day before the bankruptcy filing between Robert Manzo and Matthew Feldman, who is an attorney on the President's automobile task force. And just to indicate the depths and the breadth to which these unelected folks who have plenty of bankruptcy experience and Wall Street experience but don't have any automobile experience will go to, Mr. Manzo is saying, well, do you think it's worth giving us one more shot. And the one more shot that he's referring to, he testified in court, was maybe we don't have to go to this bankruptcy route, maybe we can come to some agreement with our bondholders, and do we have to do this?

Well, the rather professional response from Mr. Feldman is that I'm now not talking to you, you went where you shouldn't. And Mr. Manzo backs up and he apologizes, and Feldman writes him another e-mail, it's over, the President doesn't negotiate second rounds. We've

given and lent billions of dollars so that your team could manage this properly, and now you're telling me to bend over to a terrorist like Lauria.

And Lauria is another bankruptcy lawyer who represents some of the bondholders in the GM suit, and I think he might—I may be wrong about that—but I think he represents the Indiana Teachers Pension Fund. And he was basically saying, it's all well and good that you want to do this, but I invested teacher pension fund money in Chrysler and you're now telling me that I have to go back to my clients and say that I agreed to take five or ten cents on the dollar. He could be sued. He might be able to be put in jail. So I don't think that's the definition of a terrorist. And of course, Mr. Feldman signs off with an affectionate "that's BS."

So the day before you still have Chrysler trying to work it out and the President's task force telling him to take a hike. And the same thing happened this week. And if you look at how this thing is being manipulated, the same thing happened when—as you know, the GM bankruptcy is in New York as well, and people think that, well, that's kind of strange because we thought General Motors was either organized under the laws of Delaware or the laws of Michigan certainly. And as a matter of fact they are, and you don't get into Federal court in New York without some kind of nexus.

Well, lo and behold, the brainiacs at General Motors and on the President's task force found one General Motors dealership in Harlem, New York, and they are the lead pleader in the bankruptcy so that they could get a New York bankruptcy judge rather than having it decided where the company actually does business and people who work there, you know, live.

Mr. TIBERI. Being a lawyer and former prosecutor, can you explain the advantages of a bankruptcy in New York City rather than Detroit?

Mr. LATOURETTE. Well, I'm going to tell you, first of all, you don't have the affected parties, and so all of the people that worked for General Motors, all of the dealers that depend on it, they're not in New York. They could only find one dealer in Harlem, and so you avoid that problem.

In addition, you are able to judge shop. I mean, it's called forum shopping, and every lawyer would love, I mean love—lawyers like to win—every lawyer would love to be able to go out and pick his judge or her judge, because who wouldn't? I mean, this judge is tough, this judge is not so tough; this judge is smart, this judge is not so smart. So I mean if you could pick where your case goes, you could do pretty well. And it appears exactly what our friends at the task force did and our friends at General Motors did.

And then on top of it, I go back to the job losses at the auto dealer. It's worse than that chart because every dealer who sells GM products has got-

ten a letter, and it's either a you're gone letter or you're safe letter. But the guys that are safe, they are going to be required, the dealers that are going to be part of the new GM, to sign participation agreements. And if they don't sign the participation agreement, they're out and they will lose their franchise, their livelihood—their 60 people are out of work. And we have both State and Federal legislation that says, look, the car companies are pretty powerful. They have bargaining power that the small dealer doesn't. They've got lawyers, they've got millions of dollars.

□ 2000

And so we're not going to let this sort of unfair stuff happen. But, again, the beauty of picking a New York bankruptcy judge is that they are arguing that we should preempt all of those laws, and the car dealers no longer have protection.

So they're telling them things like, Well, you have to buy so many cars from us, even if it's a horrible business decision. And they used to have these noncompete clauses that the car company agreed not to put another GM dealership within 2 miles or 5 miles, or whatever the case may be. If we decide to put a new GM dealership right next to you, tough. That's just the way it goes.

It's unconscionable. The Sopranos would be proud of this letter by General Motors. It's clearly not—I never thought I'd see the day that this was happening in the United States.

Mr. TIBERI. Would the gentleman yield?

Mr. LATOURETTE. I'd be happy to yield.

Mr. TIBERI. They could essentially say to a dealer, If you don't sign this agreement which we could ultimately say you're going to rebuild your store, you're going to make it so many more square feet, you're going to move your location, if they don't sign that, if that business owner doesn't sign that, they're out. They have absolutely no leverage. All contract law has been violated.

Mr. LATOURETTE. General Motors has made clear that there's going to be a new Chrysler and an old Chrysler—the bad assets going to old Chrysler; the new Chrysler, the good assets. The same thing with General Motors. The letter to the dealer is clear that if you don't sign these participation agreements and agree to whatever terms we can think of, you're out. And you're going to go under the old General Motors. Not much of a choice.

We were talking about you, my friend; our friend from the western part of Ohio, Mr. JORDAN. We were talking a little bit about your experience in the Judiciary Committee. Maybe you can share, since you were there. I tried to relate it as best I could, but maybe you could chat about what happened.

Mr. JORDAN of Ohio. Well, thank you. I appreciate the gentleman for

yielding and for this Special Order on just a critical issue highlighting why you should never start down this road where government is making decisions in private enterprise.

But the gentleman related 2 weeks ago in Judiciary Committee we had auto dealers, we had experts, and two experts on the auto industry, unlike the auto task force, which has no manufacturing experience, no auto dealer business experience. We had real experts in there talking about the fact that these handful of people who are making decisions that impact so many communities and so many families across this country really have just that, no experience whatsoever in manufacturing, and particularly auto manufacturing.

I just appreciate my colleagues from the Buckeye State pointing out—here's what is so frustrating. Government caused this problem, and now government is going to fix it? I mean, the CAFE standards artificially plucked out of the air, which are the reason, frankly, one of the reasons that the stamping facility in the Fourth Congressional District was closed down, announced foreclosure this Monday. The lack of what I call a coherent, commonsense energy policy.

Let's remember where we were last summer that really started to lead to this situation. It was \$4 gasoline. And the fact that we don't use the natural resources we have in this country to help this situation and specifically to help this industry. Again, a failure of government to do the right thing, which helped bring us to this day.

Frankly, we're only going to make it worse, as my colleagues know, if we pass this crazy cap-and-trade concept, which will make it even tougher for manufacturing and auto manufacturing. So that's the frustrating part.

One last point before I yield back to my colleague. I was on a conference call Sunday night with some of the members of the auto task force briefing Members of Congress about what was going to happen with the restructuring at General Motors and, frankly, the announcements that were going to occur the next day, June 1, 2009, when 11 GM facilities, an announcement was made they were going to close. Again, one of which was in Ontario, Ohio, in Richland County in the Fourth Congressional District.

Mr. Sperling, a member of the auto task force, stated in his comments that the government, the auto task force, wasn't going to be involved in day-to-day decisions about General Motors. They would only get involved if it was a "major event."

And so when his comments were done and Members of Congress began to ask questions, I finally got around to my turn and I said, Mr. Sperling, you indicated in your opening comments that the auto task force, the government would only get involved if it was a major event. I said, It's going to be pretty major tomorrow when they shut

down 11 facilities in 11 congressional districts. What is your definition of "major"?

And here's the scary thing. He didn't have one. He said it could be a merger, it could be a major change in corporate philosophy. He didn't have a definition, which just tells you they can do whatever they want, whenever they want, and that's why it's so appropriate what Mr. LATOURETTE and Mr. TIBERI are doing here tonight on the floor of the House of Representatives, showing the chaos that they have caused in all kinds of congressional districts, in all kinds of families and communities around this country.

So I want to applaud, again, the Member from Ohio and his hard work in trying to get to the bottom of this and letting the American people know what is really going on out there in this important industry in our country.

With that, I would yield back.

Mr. LATOURETTE. I thank you, Mr. JORDAN, for saying that. Listening to your story, I couldn't make that conference call. I made one the next day with Fritz Henderson, who's the CEO after the President fired the old CEO of General Motors.

Hearing your description, it sounds like the Supreme Court used to wrestle with the definition of pornography. They don't know what the definition is, but they'll know it when they see it. So perhaps a major event will be known by the President's task force when they see.

Mr. JORDAN of Ohio. If the gentleman would yield.

Mr. LATOURETTE. Sure.

Mr. JORDAN of Ohio. I think this is important to understand. If President Obama can fire the CEO of General Motors, then he can keep a facility open. Frankly, his task force and members of his Cabinet, who are traveling across the Midwest right now, who are in our State, in Ohio as we speak—they were there yesterday and today—they owe it to those communities like Twinsburg, like Ontario. They owe it the those workers, those families to go to those facilities, look those workers in the eye and explain to them why they chose to shut down their facility and keep another one open. They owe that to them.

This is coming from someone whose father worked 30 years at a General Motors facility in Dayton, Ohio. I know what it's like for those families. I remember when I was a kid and there was talk of a possible layoff, talk of a possible strike. The emotion that that causes in a family and the concern that caused within a family is real.

So we know what these families are going through in Twinsburg, Ohio, and Ontario, Ohio, and Michigan and other States. We know what they're going through. Frankly, the auto task force owes it to those families to come to those communities and explain to them why they're closing their facility.

I yield back.

Mr. LATOURETTE. I'm glad my friend brought that up, because one of

the people that has been sent out as a member of the auto task force, Mr. Montgomery, and he was in Twinsburg, and rather than explaining how Twinsburg got picked and these 1,200 people are out of jobs, they were there to announce a great new initiative, a nationwide initiative, \$50 million, to take now 30,000 unemployed autoworkers, \$5 million for 30,000 unemployed autoworkers, and transition them to green jobs.

Now, I made the observation, and the Labor Secretary didn't like it very much, but I made the observation at the rate these guys are going, the only green jobs that are going to be left are cutting the grass of the Wall Street guys that got the \$700 billion bailout. So some of this defies logic.

I just want to close the loop on these auto dealers, not only the workers, but the dealers. Because if you look who's being negatively impacted, it's the bondholders who had \$27 billion in General Motors and they are being forced to settle for peanuts or they're called not patriotic.

You have 30,000 autoworkers whose livelihood and their family's livelihood depends upon getting up and going to work for this company. You have the communities that are impacted, and you have over 200,000 people that work at auto dealers.

Mr. Nardelli was on the witness stand in New York and he was being questioned by Amy Brown, who's an attorney for the Chrysler dealers who doesn't seem real happy about this decision. And the question was, Well, what is it that these dealers are costing the company? Mr. Nardelli's response was, Well, there's a host of expenses relating to such things as tooling, service training, advertising, and sales incentives.

But when Ms. BROWN asked him to quantify how much those things cost the automaker, Mr. Nardelli said he could not, and he wasn't sure if the automaker had ever determined those exact costs.

So I don't think that that's what's going on here. I think that you have people taking advantage of a bankruptcy situation, a crisis, to engage in an agenda that they perhaps have been wanting to engage in for a very long time. And I think that it's disingenuous. And that's why we have unveiled Clue, the Travel Edition. We would like to know.

I want to yield to my friend now, one of the great champions of the auto industry from the State of Michigan that's been more impacted. I think at lunch today I heard his State may crest 25 percent unemployment as a result of some of these decisions.

My friend, Mr. McCOTTER from Michigan.

Mr. McCOTTER. I thank the gentleman from Ohio and I thank him for what he is doing today. As you mentioned, I come from the suburbs northwest of Detroit. Obviously, what we have seen with both Chrysler and with

GM is very painful because of the human cost involved: the workers at these plants who will lose their jobs, the manufacturing supply chain, those employees and owners that will lose their jobs, lose their small businesses, and the dealers who will lose their jobs and their small businesses.

But it will not simply be a Michigan problem. It will not simply be a Midwest problem. As we found out from the Chrysler dealerships that were closed, it went across the country, all the way from the Atlantic to the Pacific.

Many of our colleagues all of a sudden remember that if auto manufacturers have a problem, auto dealers have a problem. This was not news to many of us, but it portends what is going to happen over the course of this year and next year as these plants are closed.

The gentleman from Ohio, Mr. LATOURETTE, the gentleman from Ohio, Mr. KUCINICH, put forward a bipartisan letter, which I was very grateful to be able to sign, that talked about how Congress should reexercise its power in this area, how the task force should have become advisory and brought the stakeholders together in a process similar to what was done with Chrysler in the 1970s to allow all stakeholders to come together, as opposed to being pitted against each other, workers or investors, in the process that we saw, which in the end turned out to be nothing but a prepackaged bankruptcy that could not be avoided.

At this point in time, obviously all of us who have plants closed—I had my Livonia power train assembly plant notified it was going to close; 164 workers going to lose their jobs. And I know that next door to me we saw the Willow Run assembly plant closed that had produced the B-24 Liberator bombers that helped this Nation in World War II.

Our thoughts are with those workers and with all the workers who are going to be displaced. But to those who think again that this is simply an economic problem for Michigan, for the Midwest, I ask them a simple question. General Motors was a symbol to the world of the United States' prosperity and security. When this icon of the United States went into bankruptcy, in the nations that bode ill toward us, they were gleeful. Because with General Motors going into bankruptcy, it sends a clear signal to the world that the United States is in decline, and into that perceived vacuum these nations will inject themselves to advance their interests, with very detrimental results to the United States of America.

It is so often that we forget because we live in a land of prosperity and security what these corporations, especially General Motors, have meant throughout the world. It has not been lost on the rest of the world. And you ask yourself: If General Motors goes into bankruptcy, what do they think?

We have already seen what the Russians think. We will soon find out what

the Communist Chinese think. And ask yourself this question as well: What do you think is going to happen when cars are made in Communist China, imported into the United States for sale? What does that tell us about the future of the United States, both in terms of its ability to defend itself by manufacturing the armaments necessary to undergird a peace through strength policy or the ability to provide prosperity for its people.

It's been a very painful week for Michigan and for America. The manufacturing base will be far smaller. We will get through this. We will help our fellow citizens who are going through a very difficult time, and we will emerge stronger, if not larger.

I yield back to the gentleman from Ohio.

Mr. LATOURETTE. I thank my friend from Michigan. I just want to bring to a conclusion this evening, we hear a lot that we can't deal with some of the problems in the country because we're really busy here in the United States Congress, and so we don't have floor time.

I talked a little earlier about the AIG thing and the majority leader can't schedule it on the floor because we're really busy doing other stuff. As a matter of fact, when we broke for the Memorial Day district work period, the Speaker and the majority leader and the Democratic leadership had a big press conference hailing all of the great things that we did. But I can tell you we didn't do anything about Chrysler, we didn't do anything about General Motors.

And so I went back, and in the last Congress, Mr. Speaker, you may remember that gasoline was going through the roof. In Ohio, it topped \$4 for the first time in my lifetime. And you would think that we would be doing something about a national energy policy here in the United States Congress, the greatest deliberative body in the world.

When the majority changed—and, again, as Republicans, we did such a swell job that the voters threw us out and they installed the Democrats as the majority. They took over and began their legislative responsibilities on January 29, 2007.

□ 2015

Gas was about \$2.22. On that day, the most important thing that the majority leader could schedule was congratulating the University of California at Santa Barbara's soccer team. Gas goes up a little bit to \$2.24, and that's getting people's attention. The most important thing we could do in the United States Congress is pass a resolution honoring National Passport Month. Gas goes over \$3, which has people alarmed. My phones are ringing off the hook, and my colleagues' phones are ringing off the hook. On that day, the most important thing we could do is commend the Houston Dynamo soccer team.

You see a pattern here, Mr. Speaker. We are told, in order to be successful in elective office, we have to get the soccer moms. So, as gas is going through the roof, we are congratulating a soccer team in California and one down in Texas. Just to make sure nobody is confused, we like soccer and we like soccer moms.

Gas goes up to \$3.77, and the most important thing that the majority can put on the floor is a resolution honoring National Train Day. Most of us like trains, but gas is \$3.77. Gas goes up to \$3.84. We passed—and I had to look this up because I didn't know what a "canid" was. When gas hit \$3.84, we passed the Great Cats and Rare Canids Act. Again, if you have trouble with canids, Mr. Speaker, that's a dog. So gas is \$3.84. Our constituents are suffering as they fill up their tanks, and we're talking about cats and dogs here in the United States Congress. It gets up to \$4.09. It crosses \$4 for the first time. Do you know what? A lot of people in my district don't know this, but 2008 was the International Year of Sanitation. So that was the most important thing we could do. Then out here, when we get to \$4.14, which is about where it crested in Ohio—it might have been higher or a little bit lower in other States—the most important thing that the majority can put on the floor is the Monkey Safety Act.

So, again, when talking about tone deaf, that made some of us think that perhaps the new majority was tone deaf, and we talked to them about it. We said, Hey, you know, maybe we could do other stuff. So this year, when hundreds of thousands of people in this country who work in the automotive industry are losing their jobs, we're thinking, oh, they get it; they understand you can't do goofy things and commemorative things when people are losing their jobs.

Earlier this year, 4,000 people were axed at Chrysler. On that day, we honored former Senator Claiborne Pell. He had a long, storied career, but we've got 4,000 people out of work, and maybe we could be doing something else; 9,500 Chrysler people are out. On that day, the most important thing that the majority can put on the floor is a resolution supporting the goals and ideals of national team dating. All of us think team dating is important unless you happen to be the father of one of the team members; but we passed that resolution. You get up here just south of 10,000 Chrysler workers who are losing their jobs; and son of a gun, we pass the Monkey Safety Act again.

So we had time not to deal with gasoline prices, not to deal with an energy policy, not to deal with the automotive industry, but we did have time to take up floor time, 2 years in a row, on the Monkey Safety Act.

Then we got out here where 13,000 people are losing their jobs, and son of a gun, I guess the Senate didn't pass the bill about cats and dogs, and so we take more floor time talking about

cats and dogs even though 13,000 people have lost their jobs.

Then you get out here. This is another guy who, I think, we all like, but now 16,000 people are out of jobs, and the most important thing the majority can put on the floor is awarding a gold medal to Arnold Palmer. I think most of us like Arnold Palmer, and we think he has had a nice career, but 16,000 of our friends and neighbors are without jobs. Then when it hits the top at 18,365, son of a gun, it's National Train Day Again.

So there clearly are difficulties with priorities here in the House, and I don't want to disparage the Democratic leadership too much. I would be happy to yield to my friend in just a second because it's not fair just to talk about the Monkey Safety Act and National Train Day and the International Year of Sanitation.

I want my colleagues to know that, since the beginning of this Congress, the majority has also taken up floor time at 40 minutes a pop to name all of these post offices in the United States of America. So, if you live in one of these towns, Mr. Speaker, you can rest assured that the United States Congress is on the job and that we have named your post office. So, when you go in and get that 44-cent stamp, it has got a name on it. The folks know that each one of these takes about an hour of floor time and a vote. I think there are 14 of them. There may be a few more. So that's about 14 hours of precious time when the United States Congress could have been talking about jobs at Chrysler, about jobs at GM and about gasoline prices last year when we couldn't quite get there.

Just to close the loop on that thought, as we know, 11 plants have closed this week, GM plants, and another 21,000 people are out of work. So you would think, okay, because Chrysler is smaller than GM, maybe we didn't think it was that huge; but Flagship GM, as my friend from Michigan has talked about, is a national icon. So we came back from our district work period yesterday, and just to make sure that people don't think that I'm somehow bad-mouthing the Democratic majority, they really did stuff yesterday to take care of the GM situation other than naming post offices.

Yesterday, we debated legislation on the direct fish stocking of certain lakes in Washington State, and we commemorated the 75th anniversary of the Great Smoky Mountains. Apparently, the soccer moms have been replaced with basketball moms, and we honored the University of Tennessee's women's basketball team.

Mr. Speaker, I yield to my friend from Michigan.

Mr. McCOTTER. I thank the gentleman for yielding.

In fairness, I must point out that one of the first things that this Democratic-controlled Congress did, in conjunction with the administration, was pass a \$1 trillion stimulus bill, because

I include the interest, and we're all going to have to pay it. The \$1 trillion stimulus bill had one provision that would have particularly helped the auto industry that was virtually eliminated in the dead of night by a hidden hand that also did something interesting. The \$1 trillion stimulus bill had protected the AIG bonuses, and yet it did nothing to prevent Chrysler and GM autoworkers from going into bankruptcy. At the time, I referred to it as a post-American manufacturing bill. I would just like to point out that, sadly, events have proven that assessment correct.

I yield back to the gentleman.

Mr. LATOURETTE. I thank the gentleman.

Mr. TIBERI, I would yield to you for an observation.

Mr. TIBERI. Well, thank you for yielding.

The gentleman from Michigan brings up the stimulus bill, and I just had a thought cross my mind.

Not to add more questions rather than answers, but maybe the next edition of Clue is to figure out how—as the gentleman from the Cleveland area knows and as the gentleman from western Ohio knows, just today, we find out that 1,200 jobs in the Miami Valley at NCR were lost from Ohio to Georgia, in part because, at least according to the employer, in the stimulus bill, there were provisions to allow for a potential office building/manufacturing facility to be used to build and to lure jobs from Ohio to Georgia, which is absolutely outrageous. These aren't the types of jobs that we thought were going to be created. These are pitting States against States and localities against localities.

So I would ask the gentleman from Ohio if, maybe the next time we get together, we could add that to the auto industry and to the AIG bonuses. These are things that are done here, not on this House floor, not in the people's House, but in one of those rooms behind closed doors.

I yield back.

Mr. McCOTTER. Will the gentleman yield for a question?

My question is: If these 1,200 jobs in Ohio were in Ohio and they have moved to Georgia, does the administration consider them created or saved or is it going to have to come up with a third category—or shifted?

Mr. LATOURETTE. To answer the gentleman's question, I think it's both. I think we'll see the administration taking credit for saving 2,000 jobs and for creating 2,000 jobs. It will be too bad for the folks in the Miami Valley, and that's just the way it goes.

I would close with: We sent the President of the United States, President Obama, a letter that was signed by 36 of our colleagues. I believe all of the Members on the floor signed it. It basically asked the President to take a deep breath. As Mr. JORDAN has indicated, this unappointed task force, in my opinion, is not serving the Presi-

dent of the United States well. So take a deep breath.

Go back to 1979. There was Jimmy Carter, Lee Iacocca and the problem with Chrysler back in 1979. Have thoughtful hearings. Have thoughtful discussions. Have people who are experienced in the automotive industry or who, at a minimum, own a car, and let's have this conversation. In that case, my colleagues will remember, the United States not only got paid back, but we made money. We made \$35 million on the first Chrysler bailout. The problem that the government had is nobody ever expected us to make money on it, so there was no provision on how to spend it; but people at home need not worry—that Congress at the time figured out how to spend it rather quickly. It goes to show that, when done thoughtfully, it can be done okay.

So we come to Clue, the travel edition—and oh, by the way, we haven't heard back from the President yet. I know he is overseas and that he is a busy person being the leader of the Free World, so he hasn't had a chance to get back to us. I hope that he does. I hope he takes our suggestion. It is a bipartisan letter—I want to say that—from Republicans and Democrats who are concerned about the autoworkers, the plants, the auto dealers, and the people who invest money.

Mr. Speaker, in closing, I think it's a shame. You know, if our constituents want safe monkeys, they can rest easy tonight because we've passed that bill twice. If you like cats and dogs, they're okay. You can rest easy. If you like trains, it's not a problem. If your post office hasn't been named this year, call your Member of Congress, and I'll bet we can slap a name on it sometime rather than dealing with the problems that ail the country.

If you're a union member who works for the United Autoworkers, too bad. We don't have time for any legislation for you. We will train you for a green job—cutting somebody's grass. If you, God forbid, were a stockholder in one of these companies or invested money in one of these companies, you're now being told your investment is worthless, so things like secured debt don't mean "secured debt." It's a little bit like the mortgage crisis. If you're tired of paying your mortgage, don't worry about it. We'll pay it for you.

There is the supply chain that Mr. TIBERI talked about, and there are the dealers that, I think, we've all talked about. We're talking about 200,000 people. Again, it doesn't make sense.

I think Mr. JORDAN's observation was right on the money. First of all, we have got to solve Clue, the travel edition, to figure out who did this. Secondly, I think they owe people an explanation. Why did my plant get closed and not somebody else's? Why did this dealership get closed and not somebody else's? Why are 1,200 people out of work in my district and not someplace else? Why are we picking on the dealers when, according to Mr. Nardelli, he

doesn't know if they cost him any money? It is, indeed, a strange business model to think that you're going to sell more Chryslers with less stores and with no advertising, but maybe that's just me.

Mr. Speaker, I thank you. I thank my colleagues—two from Ohio and one from Michigan—for joining us for this hour.

I yield back our time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. SPRATT, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, June 10.

Mr. JONES, for 5 minutes, June 10.

Mrs. MILLER of Michigan, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

Mr. PAULSEN, for 5 minutes, June 5.

Mr. SMITH of New Jersey, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today and June 4.

(The following Member (at his request) to revise and extend his remarks and include extraneous material:)

Mr. FLEMING, for 5 minutes, today.

ADJOURNMENT

Mr. LATOURETTE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Thursday, June 4, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1993. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acibenzolar-S-methyl; Pesticide Tolerances [EPA-HQ-OPP-2008-0270; FRL-8413-7] received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1994. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — *Bacillus thuringiensis* Cry1A.105 protein; Time Limited Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2009-0101; FRL-8417-3] received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1995. A letter from the Chairman of the Board, Farm Credit System Insurance Corporation, transmitting the Corporation's final rule — Premiums (RIN: 3055-AA10) received April 24, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1996. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2008-0020] received May 4, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1997. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; California; Determination of Attainment of the 1-Hour Ozone Standard for the Ventura County Area [EPA-R09-OAR-2009-0133; FRL-8909-6] received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1998. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology Requirements for Volatile Organic Compounds: Correction [EPA-R03-OAR-2009-005; FRL-8909-5] received May 20, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1999. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Model S-92A Helicopters [Docket No.: FAA-2009-0351; Directorate Identifier 2009-SW-08-AD; Amendment 39-15886; AD 2009-07-53] (RIN: 2120-AA64) received May 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2000. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Morehead, KY. [Docket No.: FAA-2008-0809; Airspace Docket No. 08-ASO-13] received May 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2001. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-50 Series Airplanes; Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-60 Series Airplanes; Model DC-8-60F Series Airplanes; Model DC-8-70 Series Airplanes; and Model DC-8-70F Series Airplanes [Docket No.: FAA-2008-1324; Directorate Identifier 2008-NM-101-AD; Amendment 39-15875; AD 2009-08-02] (RIN: 2120-AA64) received May 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2002. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 Airplanes Equipped with a Cockpit Door Electronic Strike System Installed in Accordance with Supplemental Type Certificate (STC) ST02014NY [Docket No.: FAA-2009-0313; Directorate Identifier 2008-NM-144-AD; Amendment 39-15769; AD 2008-26-03] (RIN: 2120-AA64) received May 22, 2009, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2003. A letter from the Federal Register Liaison Officer, Department of Treasury, transmitting the Department's final rule — Increase in Tax Rates on Tobacco Products and Cigarette Papers and Tubes; Floor Stocks Tax on Certain Tobacco Products, Cigarette Papers, and Cigarette Tubes; and Changes to Basis for Denial, Suspension, or Revocation of Permits (2009R-118P) [Docket No.: TTB-2009-0001; T.D. TTB-75; Re: Notice No. 93] (RIN: 1513-AB70) received May 22, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2004. A letter from the Federal Register Liaison Officer, Department of the Treasury, transmitting the Department's final rule — Establishment of the Lake Chelan Viticultural Area (2007R-103P) [TTB Docket No.: 2008-0006; T.D. TTB-76; Re: Notice No. 87] (RIN: 1513-AB42) received May 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2005. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Health Savings Accounts Inflation Adjustments for 2010 (Rev. Proc. 2009-29) received May 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2006. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Industry Directors' Directive #2 on Enhanced Oil Recovery Credit [LMSB Control No.: LMSB-04-0409-014 Impacted IRM: 4.51.2] received May 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2007. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Formless Conversion of Partnership to S Corporation (Rev. Rul. 2009-15) received May 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2008. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2009-45] received May 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2009. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Allocation and Reporting of Mortgage Insurance Premiums [TD 9449] (RIN: 1545-BH84) received May 13, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2010. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Self-determination of Deficiency Dividend under Section 860(e)(4) (Rev. Proc. 2009-28) received May 19, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2011. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Use of Actuarial Tables in Valuing Annuities, Interests for Life or Terms of Years, and Remainder or Reversionary Interests [TD 9448] (RIN: 1545-BH96; RIN: 1545-BI56) received May 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2012. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Sub-Issue Letter Rulings Under Section 355 (Rev. Proc. 2009-25) received May 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2013. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Net Operating Loss Carryback Election under Section 1211 of American Recovery and Reinvestment Tax Act of 2009 (Rev. Proc. 2009-26) received May 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 415. A bill to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, emergency medical technicians, and other rescue workers who are killed in the line of duty (Rept. 111-132). Referred to the Committee of the Whole House on the State of the Union.

Mr. CARDOZA: Committee on Rules. House Resolution 501. Resolution providing for consideration of the bill (H.R. 626) to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes (Rept. 111-133) Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[Omitted from the Record of June 2, 2009]

Pursuant to clause 2 of rule XII, the Committee on Armed Services discharged from further consideration. H.R. 1886 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCHOCK (for himself and Mr. BOSWELL):

H.R. 2672. A bill to amend the Internal Revenue Code of 1986 to allow credits for the establishment of franchises with veterans; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself and Mr. BERRY):

H.R. 2673. A bill to amend title 38, United States Code, to match the pension amount paid to surviving spouses of veterans who served during a period of war to the pension amount paid to such veterans; to the Committee on Veterans' Affairs.

By Mr. POE of Texas (for himself, Mr. GALLEGLY, and Mr. CARTER):

H.R. 2674. A bill to protect children from sex offenders; to the Committee on the Judiciary.

By Mr. JOHNSON of Georgia (for himself, Mr. COBLE, Mr. CONYERS, and Mr. SMITH of Texas):

H.R. 2675. A bill to amend title II of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such title for a 1-year period ending June 22, 2010; to the Committee on the Judiciary.

By Mr. CARDOZA:

H.R. 2676. A bill to amend chapter 3 of title 31, United States Code, to provide for an Assistant Secretary of the Treasury for Community Financial Institutions and an Office of Ombudsman for Community Financial Institutions, and for other purposes; to the Committee on Financial Services.

By Mr. FLEMING (for himself, Mr. BILBRAY, Mr. BURTON of Indiana, Ms. FALLIN, Mrs. BLACKBURN, and Mr. GINGREY of Georgia):

H.R. 2677. A bill to amend title 18, United States Code, to provide penalties for hate crimes against members of the Armed Forces, and for other purposes; to the Committee on the Judiciary.

By Mr. McDERMOTT:

H.R. 2678. A bill to extend Federal recognition to the Duwamish Tribe, and for other purposes; to the Committee on Natural Resources.

By Ms. GIFFORDS:

H.R. 2679. A bill to extend certain immigration programs, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO (for herself, Mr. SERRANO, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. PIERLUISI, and Mr. SABLAN):

H.R. 2680. A bill to amend the Social Security Act to provide for payment parity for Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa under the Medicaid Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BACA:

H.R. 2681. A bill to amend the Immigration and Nationality Act to provide for naturalization for certain high school graduates; to the Committee on the Judiciary.

By Mr. DUNCAN (for himself, Mr. MCHENRY, Mr. WESTMORELAND, Mr. SESSIONS, Mrs. BLACKBURN, and Mr. POE of Texas):

H.R. 2682. A bill to require that the Federal Government procure from the private sector the goods and services necessary for the operations and management of certain Government agencies, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HOLT (for himself and Mr. PIERLUISI):

H.R. 2683. A bill to establish the American Veterans Congressional Internship Program; to the Committee on House Administration.

By Mr. ISRAEL (for himself, Ms. VELÁZQUEZ, and Mr. SERRANO):

H.R. 2684. A bill to establish grant programs to provide for the establishment of a national hate crime hotline and a hate crime information and assistance website, to provide training and education to local law enforcement to prevent hate crimes, and to provide assistance to victims of hate crimes; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. FARR, Mrs. CHRISTENSEN, Mr. GRIJALVA, Ms. HIRONO, Ms. SHEA-PORTER, Mr. HEINRICH, and Mr. PIERLUISI):

H.R. 2685. A bill to establish a National Oceanic and Atmospheric Administration and a National Climate Enterprise, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL (for himself and Mr. BISHOP of New York):

H.R. 2686. A bill to amend title XVIII of the Social Security Act to provide for a Medicare Advantage benchmark adjustment for certain local areas with VA medical centers

and for certain contiguous areas; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACK (for himself, Mr. SIREN, Ms. ROS-LEHTINEN, Mr. BROWN of Georgia, Mr. BURTON of Indiana, Mr. MARIO DIAZ-BALART of Florida, and Mr. LINCOLN DIAZ-BALART of Florida):

H.R. 2687. A bill to withhold United States assessed and voluntary contributions to the Organization of American States (OAS) if Cuba is allowed full membership or participation in the OAS unless the President certifies that Cuba has satisfied certain conditions, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PALLONE (for himself and Ms. DEGETTE):

H.R. 2688. A bill to amend title XIX of the Social Security Act to improve the State plan amendment option for providing home and community-based services under the Medicaid Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PERRIELLO (for himself, Mr. SCOTT of Virginia, Mr. NYE, Mr. MORAN of Virginia, and Mr. BOUCHER):

H.R. 2689. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the National D-Day Memorial in Bedford, Virginia, as a unit of the National Park System; to the Committee on Natural Resources.

By Mr. SESTAK (for himself and Mr. BRALEY of Iowa):

H.R. 2690. A bill to create a universal, paperless school meal program that is nationally available; to the Committee on Education and Labor.

By Mr. STARK (for himself, Mr. CAMP, and Mrs. BONO MACK):

H.R. 2691. A bill to provide assistance to adolescents and young adults with serious mental health disorders as they transition to adulthood; to the Committee on Energy and Commerce.

By Mr. THORNBERRY (for himself, Mr. ROSS, Mr. BROWN of Georgia, Mr. SKELTON, Mr. THOMPSON of Pennsylvania, Mr. HELLER, and Mr. GRIJALVA):

H.R. 2692. A bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program; to the Committee on Ways and Means.

By Ms. WOOLSEY (for herself and Mr. BAIRD):

H.R. 2693. A bill to amend title VII of the Oil Pollution Act of 1990, and for other purposes; to the Committee on Science and Technology.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 138. Concurrent resolution recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas; to the Committee on Transportation and Infrastructure.

By Mr. LAMBORN (for himself, Ms. BORDALLO, Mr. COFFMAN of Colorado, Mr. KLINE of Minnesota, Mr. MCCAUL, Mr. MASSA, Mrs. McMORRIS RODGERS, Mr. SESTAK, Mr. SPRATT, Mr. ROONEY, Ms. TSONGAS, Mr. WAMP, and Mr. WILSON of South Carolina):

H. Con. Res. 139. Concurrent resolution congratulating the first graduating class of the United States Air Force Academy on their 50th graduation anniversary and recognizing their contributions to the Nation; to the Committee on Armed Services.

By Mr. CLAY:

H. Con. Res. 140. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued to honor Wilton "Wilt" Chamberlain; to the Committee on Oversight and Government Reform.

By Mr. CLAY:

H. Con. Res. 141. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a postage stamp in commemoration of Carl B. Stokes; to the Committee on Oversight and Government Reform.

By Mr. CUMMINGS (for himself, Ms. LEE of California, Mr. MORAN of Virginia, Mr. THOMPSON of Mississippi, Mr. FATTAH, Mr. TANNER, Mrs. CHRISTENSEN, Mr. MEEKS of New York, Mr. SESTAK, Mr. LOBIONDO, Mr. ELLISON, Mr. KILDEE, Mr. GRIFFITH, Mrs. MALONEY, Mr. NEAL of Massachusetts, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. TOWNS, Mr. HINOJOSA, Ms. BERKLEY, Mr. GINGREY of Georgia, Mr. HONDA, Mr. FLEMING, Mr. COHEN, Mr. SERRANO, Mr. HOLT, Ms. BORDALLO, Mr. GORDON of Tennessee, Mr. RUSH, Mr. ROE of Tennessee, Mr. SMITH of New Jersey, Mr. LYNCH, Ms. NORTON, Mr. GUTIERREZ, Mrs. DAVIS of California, Ms. CORRINE BROWN of Florida, Ms. WATERS, Mr. BURTON of Indiana, and Mr. BROWN of Georgia):

H. Con. Res. 142. Concurrent resolution supporting National Men's Health Week; to the Committee on Oversight and Government Reform.

By Mr. HOLT (for himself, Mr. BROWN of South Carolina, and Mr. HALL of New York):

H. Con. Res. 143. Concurrent resolution expressing support for the designation and goals of "Hire a Veteran Week" and encouraging the President to issue a proclamation supporting those goals; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MCCOLLUM:

H. Res. 499. A resolution congratulating the University of St. Thomas Tommies baseball team for winning the 2009 National Collegiate Athletic Association Division III Men's Baseball National Championship; to the Committee on Education and Labor.

By Mr. HOYER:

H. Res. 500. A resolution raising a question of the privileges of the House; to the Committee on Standards of Official Conduct.

By Mr. GARY G. MILLER of California (for himself, Mrs. MCCARTHY of New York, Mrs. BIGGERT, Mr. HINOJOSA, Mr. CALVERT, Ms. BORDALLO, Mr. DAVIS of Kentucky, Mr. MILLER of North Carolina, Mr. CHILDERS, Mr. CASTLE, Mr. BACHUS, Mr. NEUGEBAUER, and Mr. GERLACH):

H. Res. 502. A resolution recognizing National Homeownership Month and the importance of homeownership in the United States; to the Committee on Financial Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. INSLEE introduced a bill (H.R. 2694) to authorize the Secretary of the department in which the Coast Guard is operating to issue a certificate of documentation with a coastwise endorsement for the vessel GULF

DIVER IV; which was referred to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Ms. BEAN and Mr. POE of Texas.
 H.R. 147: Mr. LYNCH, Mr. QUIGLEY, Mr. LOBIONDO, Mr. MURTHA, Mr. CULBERSON, Mr. FLEMING, Mr. LIPINSKI, and Ms. KAPTUR.
 H.R. 197: Mr. HUNTER, Ms. FALLIN, and Mr. OLSON.
 H.R. 213: Mr. LOBIONDO, Mr. MCCOTTER, and Mr. LEE of New York.
 H.R. 220: Mr. MCCOTTER.
 H.R. 233: Mr. KAGEN.
 H.R. 235: Mr. BLUMENAUER, Mr. GRAVES, Mr. BUCHANAN, Mr. GUTIERREZ, and Mr. LUETKEMEYER.
 H.R. 275: Mr. MACK, Mr. GARRETT of New Jersey, Mr. ROSKAM, Mr. BAIRD, Mr. WU, Mr. HIMES, and Mr. MURPHY of Connecticut.
 H.R. 303: Ms. FOX.
 H.R. 406: Mr. COBLE and Mr. MARSHALL.
 H.R. 422: Mr. BOSWELL, Mr. CONNOLLY of Virginia, Mr. ETHERIDGE, Ms. ZOE LOFGREN of California, and Ms. TSONGAS.
 H.R. 442: Mrs. MILLER of Michigan, Mr. MACK, Mr. CARTER, Mr. LAMBORN, Mr. OLSON, Ms. FALLIN, and Mr. HUNTER.
 H.R. 450: Mr. SMITH of Texas.
 H.R. 669: Mr. BAIRD.
 H.R. 690: Mr. SCHIFF.
 H.R. 716: Mr. PAYNE.
 H.R. 816: Mr. PERLMUTTER and Ms. KILPATRICK of Michigan.
 H.R. 840: Mr. WEINER, Ms. CORRINE BROWN of Florida, Mr. COURTNEY, Mr. TONKO, Mr. VAN HOLLEN, Mr. YARMUTH, and Ms. ROYBAL-ALLARD.
 H.R. 868: Mr. GERLACH and Mr. GUTIERREZ.
 H.R. 879: Mr. GERLACH.
 H.R. 890: Mr. CAPUANO.
 H.R. 904: Mr. RUSH and Mr. YARMUTH.
 H.R. 948: Mr. HEINRICH.
 H.R. 977: Mr. MICHAUD.
 H.R. 980: Mr. HODES.
 H.R. 997: Mr. BLUNT.
 H.R. 1032: Mr. PETRI and Mr. KISSELL.
 H.R. 1051: Mr. BOUCHER and Mr. MCINTYRE.
 H.R. 1053: Mr. KRATOVL.
 H.R. 1064: Mr. DEFazio, Mr. LOEBSACK, Mrs. MYRICK, and Mr. PIERLUISI.
 H.R. 1066: Mr. MARKEY of Massachusetts, Ms. HERSETH SANDLIN, Mr. ROTHMAN of New Jersey, and Mr. COHEN.
 H.R. 1074: Mr. HUNTER, Mr. HASTINGS of Washington, and Ms. FALLIN.
 H.R. 1080: Mr. KILDEE, Mr. PALLONE, and Mr. HINCHEY.
 H.R. 1118: Mrs. McMORRIS RODGERS.
 H.R. 1129: Mr. QUIGLEY and Ms. KAPTUR.
 H.R. 1157: Mr. KLEIN of Florida.
 H.R. 1179: Ms. ESHOO.
 H.R. 1189: Mr. HINCHEY.
 H.R. 1193: Mr. MCCOTTER and Mr. GORDON of Tennessee.
 H.R. 1203: Mr. RODRIGUEZ, Mr. SPRATT, Mr. ROGERS of Alabama, and Mr. SMITH of Texas.
 H.R. 1207: Mr. YOUNG of Florida, Mr. GRIJALVA, Mr. FRELINGHUYSEN, and Mrs. HALVORSON.
 H.R. 1211: Mr. RODRIGUEZ, Mr. MARSHALL, Mr. GONZALEZ, Mrs. DAVIS of California, Mr. COURTNEY, Mr. BROWN of South Carolina, and Ms. BERKLEY.
 H.R. 1214: Mr. REYES, Mr. PAYNE, and Mr. SERRANO.
 H.R. 1378: Mr. UPTON.
 H.R. 1402: Ms. BORDALLO, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. KLEIN of Florida, Mr. RODRIGUEZ, Mr. WALZ, Mr. WILSON of Ohio, Ms. LINDA T. SANCHEZ of California, and Mr. BOCCIERI.

H.R. 1430: Mr. GRAVES.
 H.R. 1441: Mr. HALL of Texas.
 H.R. 1452: Mr. LATHAM.
 H.R. 1454: Mr. HONDA.
 H.R. 1470: Ms. SHEA-PORTER.
 H.R. 1509: Mr. CARNEY and Mrs. HALVORSON.
 H.R. 1526: Mr. CARNAHAN.
 H.R. 1547: Ms. HERSETH SANDLIN, Mr. COOPER, and Mrs. CAPITO.
 H.R. 1552: Mr. HIMES.
 H.R. 1558: Mr. CLAY, Mr. KLEIN of Florida, Ms. MCCOLLUM, Mr. HINCHEY, and Mr. TONKO.
 H.R. 1570: Ms. BORDALLO and Mr. MCCOTTER.
 H.R. 1584: Mr. WITTMAN.
 H.R. 1620: Mr. MCHENRY.
 H.R. 1670: Ms. PINGREE of Maine.
 H.R. 1677: Mr. KILDEE.
 H.R. 1688: Mr. DAVIS of Kentucky and Mr. GUTHRIE.
 H.R. 1691: Mr. BOUCHER and Mr. HALL of New York.
 H.R. 1702: Mr. BISHOP of Georgia, Mr. MOORE of Kansas, Mr. WALZ, Mr. SNYDER, and Mr. CLAY.
 H.R. 1705: Ms. SLAUGHTER and Mr. GUTIERREZ.
 H.R. 1796: Mr. NYE and Ms. SCHAKOWSKY.
 H.R. 1799: Mr. HALL of Texas.
 H.R. 1826: Ms. WOOLSEY and Mr. ISRAEL.
 H.R. 1844: Mr. MCDERMOTT, Mr. CAO, Ms. ZOE LOFGREN of California, Mr. ETHERIDGE, and Mr. BOUCHER.
 H.R. 1881: Mr. OBERSTAR, Mr. CLEAVER, Mr. SCOTT of Georgia, Mr. DOYLE, and Mr. LANGEVIN.
 H.R. 1894: Mr. ARCURI, Ms. RICHARDSON, Mr. CLAY, Mr. PAULSEN, and Mr. MCCOTTER.
 H.R. 1932: Ms. SCHAKOWSKY.
 H.R. 1970: Mr. THOMPSON of California, Mrs. McMORRIS RODGERS, Mr. LOEBSACK, and Mr. BOUCHER.
 H.R. 2000: Ms. BORDALLO.
 H.R. 2001: Mrs. CAPITO.
 H.R. 2014: Ms. VELÁZQUEZ, Mr. POLIS of Colorado, Mr. SMITH of Washington, Mr. McMAHON, Ms. MCCOLLUM, Mr. LEWIS of California, Mr. ROYCE, Mr. BILBRAY, Mr. DAVIS of Alabama, Mr. WAMP, Ms. MARKEY of Colorado, Mr. QUIGLEY, Mr. ROSKAM, Ms. SLAUGHTER, Ms. ROYBAL-ALLARD, Mr. MITCHELL, Mr. DICKS, Mr. MCNERNEY, and Mr. SKELTON.
 H.R. 2017: Mr. STEARNS.
 H.R. 2021: Mr. CANTOR.
 H.R. 2049: Mr. MURTHA and Mr. BOUSTANY.
 H.R. 2058: Mr. GORDON of Tennessee.
 H.R. 2060: Mr. SIRES.
 H.R. 2062: Mr. HARE.
 H.R. 2063: Mr. HERGER.
 H.R. 2119: Mr. BUCHANAN.
 H.R. 2123: Mr. DOYLE.
 H.R. 2129: Mr. COHEN, Mr. WEXLER, and Mr. ACKERMAN.
 H.R. 2132: Mr. SHERMAN and Mr. SESTAK.
 H.R. 2139: Mr. PAULSEN and Mr. THORNBERRY.
 H.R. 2149: Mr. WILSON of South Carolina.
 H.R. 2181: Ms. LINDA T. SANCHEZ of California and Mr. FILNER.
 H.R. 2204: Ms. JENKINS, Ms. ESHOO, Mr. GONZALEZ, and Mr. CULBERSON.
 H.R. 2214: Ms. SHEA-PORTER.
 H.R. 2243: Mr. GUTHRIE, Mr. BARRETT of South Carolina, and Mr. MARSHALL.
 H.R. 2299: Mr. MEEKS of New York, Ms. SCHAKOWSKY, and Mr. DRIEHAUS.
 H.R. 2305: Mr. FORBES, Mr. KLINE of Minnesota, and Mr. MCCOTTER.
 H.R. 2309: Mr. WAXMAN and Ms. SUTTON.
 H.R. 2310: Mr. BOUSTANY, Mr. BAIRD, Mr. CONNOLLY of Virginia, Mr. DICKS, Mr. HONDA, Mr. CROWLEY, and Mr. PAULSEN.
 H.R. 2322: Mr. SESTAK.
 H.R. 2324: Mrs. LOWEY.
 H.R. 2329: Mr. GUTHRIE, Mr. BOUCHER, and Ms. CORRINE BROWN of Florida.
 H.R. 2360: Mr. COSTELLO, Mr. GALLEGLY, and Mr. KAGEN.

H.R. 2368: Ms. LEE of California.
 H.R. 2373: Mr. COBLE, Mr. KISSELL, Mr. TIBERI, Mr. LEE of New York, and Mr. BARRETT of South Carolina.
 H.R. 2389: Mr. SCHIFF.
 H.R. 2405: Mr. LOBIONDO.
 H.R. 2409: Mr. McHUGH and Mr. WESTMORELAND.
 H.R. 2414: Mr. RODRIGUEZ, Mr. WU, and Mr. ARCURI.
 H.R. 2427: Mr. DOYLE.
 H.R. 2452: Mr. LATOURETTE, Mr. LEE of New York, Ms. BERKLEY, Mr. LARSON of Connecticut, Mr. HALL of Texas, Mr. JONES, and Mr. ROE of Tennessee.
 H.R. 2480: Mr. JONES, Ms. LEE of California, Mr. SMITH of New Jersey, Mr. SERRANO, Mr. VAN HOLLEN, Mr. PASCRELL, Mr. WEXLER, Mr. KENNEDY, Mr. LYNCH, Mr. BERMAN, Mrs. CAPPS, Mr. WOLF, Mr. PAYNE, Mr. DOYLE, Mrs. DAVIS of California, and Mr. McNERNEY.
 H.R. 2483: Ms. MATSUI and Mr. NADLER of New York.
 H.R. 2490: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 2495: Mr. BURTON of Indiana.
 H.R. 2499: Mr. PAUL, Mr. POSEY, Mr. AKIN, Mr. FRANKS of Arizona, Mr. DICKS, Mr. KIND, Ms. SHEA-PORTER, and Mr. LANGEVIN.
 H.R. 2503: Mrs. BACHMANN and Mr. SMITH of Texas.
 H.R. 2517: Mr. ABERCROMBIE and Mr. PALLONE.
 H.R. 2519: Mr. VAN HOLLEN, Mr. CROWLEY, and Ms. SCHWARTZ.
 H.R. 2527: Mr. MASSA and Mr. HONDA.
 H.R. 2531: Mr. REYES, Mr. HOLT, Mr. ELLISON, Mr. NADLER of New York, and Ms. LEE of California.
 H.R. 2537: Mr. SOUDER, Mr. FRANKS of Arizona, and Mr. PITTS.
 H.R. 2539: Mr. BURTON of Indiana.
 H.R. 2553: Mr. SMITH of Washington.
 H.R. 2554: Mr. MURPHY of Connecticut.
 H.R. 2562: Mr. PIERLUISI, Mr. CARNEY, and Ms. BORDALLO.
 H.R. 2570: Ms. FUDGE and Ms. LINDA T. SANCHEZ of California.
 H.R. 2577: Mr. VISCLOSKEY.
 H.R. 2578: Mr. MEEKS of New York and Mr. LOBIONDO.
 H.R. 2597: Ms. BORDALLO and Mr. STARK.
 H.R. 2648: Ms. CLARKE, Mr. UPTON, and Mr. ISSA.

H.R. 2655: Mr. MANZULLO and Mr. TIBERI.
 H.R. 2669: Mr. PALLONE.
 H.R. 2670: Mr. PETERSON and Mr. KILDEE.
 H. Con. Res. 20: Ms. LEE of California, Mr. ELLISON, and Mr. INGLIS.
 H. Con. Res. 79: Mr. FATTAH and Mr. HASTINGS of Florida.
 H. Con. Res. 94: Mr. TAYLOR.
 H. Con. Res. 110: Ms. SHEA-PORTER, Mr. GORDON of Tennessee, and Mr. HARE.
 H. Con. Res. 112: Mr. WALZ and Ms. MCCOLLUM.
 H. Con. Res. 128: Ms. JACKSON-LEE of Texas and Ms. LEE of California.
 H. Con. Res. 131: Mr. LATTA, Mr. BILBRAY, Mr. KING of Iowa, Mr. JONES, Ms. FALLIN, Mr. BURTON of Indiana, Mr. WESTMORELAND, and Mr. POSEY.
 H. Con. Res. 132: Mr. WOLF, and Mr. GARRETT of New Jersey.
 H. Res. 175: Mr. DENT.
 H. Res. 185: Mr. LEWIS of Georgia.
 H. Res. 236: Mr. LAMBORN.
 H. Res. 241: Mr. WU and Mr. ROYCE.
 H. Res. 260: Mr. CLEAVER, Mr. ISRAEL, Mr. HASTINGS of Florida, Mr. HODES, Ms. LINDA T. SANCHEZ of California, Mr. GEORGE MILLER of California, Mrs. MCCARTHY of New York, Mr. PERLMUTTER, Mr. LYNCH, Mr. TIERNEY, Mr. NEAL of Massachusetts, Mr. McDERMOTT, Ms. FUDGE, Mr. COOPER, Mr. DONNELLY of Indiana, Mr. PETRI, Mr. KUCINICH, Mrs. DAVIS of California, Mr. LEVIN, Mrs. TAUSCHER, Mrs. MALONEY, Ms. WOOLSEY, Ms. SLAUGHTER, Mr. KLEIN of Florida, Mr. DOGGETT, Mr. KANJORSKI, Mr. WALZ, Ms. SHEA-PORTER, Mr. HALL of New York, Mr. KAGEN, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. LOEBSACK, Mr. HILL, Mr. ELLISON, Mr. BRALEY of Iowa, and Mr. TANNER.
 H. Res. 293: Mr. LOBIONDO and Mr. HOLT.
 H. Res. 330: Mr. HILL, Mr. MOORE of Kansas, Mr. NYE, Ms. HARMAN, and Mr. BOSWELL.
 H. Res. 366: Mr. TIBERI, Mr. KIRK, Mr. MICHAUD, and Mr. GONZALEZ.
 H. Res. 373: Mr. WOLF and Mr. McHUGH.
 H. Res. 410: Ms. WASSERMAN SCHULTZ, Mr. ARCURI, Ms. BORDALLO, Mr. JONES, Mr. SHUSTER, Mr. PUTNAM, Mr. COBLE, Ms. BERKLEY, Ms. ROS-LEHTINEN, Mr. MCINTYRE, Mr. MACK, and Mr. OBERSTAR.
 H. Res. 419: Ms. SCHAKOWSKY.
 H. Res. 437: Mr. HOLT, Ms. ZOE LOFGREN of California, Mr. CALVERT, and Ms. ESHOO.

H. Res. 439: Mr. SERRANO.
 H. Res. 443: Ms. SCHAKOWSKY, Mr. WATT, Mr. PIERLUISI, and Ms. BORDALLO.
 H. Res. 469: Mr. CARNAHAN, Mr. REHBERG, Mr. WALDEN, Mr. BURGESS, Mr. GERLACH, Mr. BONNER, Mr. KLINE of Minnesota, Mr. OLSON, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. DEAL of Georgia, Mr. GUTHRIE, Mr. GALLEGLY, Ms. MOORE of Wisconsin, Mr. TIBERI, Mr. COFFMAN of Colorado, Mr. HUNTER, Mr. YOUNG of Florida, Mr. MCCOTTER, Mr. CALVERT, Mr. CASTLE, Mr. ADERHOLT, Mr. BURTON of Indiana, Mr. RADANOVICH, Mr. ISSA, Mr. MCCINTOCK, Mr. SHUSTER, Mr. MILLER of Florida, Mr. CONAWAY, Mr. DENT, Mr. BLUNT, Mr. McKEON, Mr. MARCHANT, Mr. SESSIONS, Mr. ALEXANDER, Mr. HASTINGS of Washington, Mr. HELLER, Mr. MACK, Mrs. BONO MACK, Mr. TIAHRT, Mr. TERRY, Mr. SCHOCK, Mr. McHENRY, Mrs. CAPITO, Mr. AUSTRIA, Mrs. SCHMIDT, Mr. MCCARTHY of California, Mr. MARIO DIAZ-BALART of Florida, Mr. SOUDER, Mr. MORAN of Kansas, Mr. ROGERS of Alabama, Mr. TURNER, and Mr. PENCE.
 H. Res. 473: Mr. WESTMORELAND, Mr. GARRETT of New Jersey, Mr. BROWN of Georgia, Mr. CONAWAY, and Mr. BILBRAY.
 H. Res. 476: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. HONDA, Mr. TANNER, and Mr. NADLER of New York.
 H. Res. 480: Ms. CLARKE.
 H. Res. 484: Mr. PALLONE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative ISSA of California, or a designee, to H.R. 626, the Federal Employees Paid Parental Leave Act of 2009, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.